LOS ANGELES COUNTY DISTRICT ATTORNEY'S OFFICE
BUREAU OF PROSECUTION SUPPORT OPERATIONS
JUSTICE SYSTEM INTEGRITY DIVISION

GEORGE GASCÓN • District Attorney
JOSEPH F. INIGUEZ • Chief of Staff

DIANA M. TERAN • Director

September 7, 2022

[redacted]
Los Angeles County Sheriff's Department
Homicide Bureau
1 Cupania Circle
Monterey Park, California 91755

Re: Non-Fatal Officer Involved Shooting of [redacted]
J.S.I.D. File #20-0327
L.A.S.D. File #020-11308-0241-055

Dear [redacted]:

The Justice System Integrity Division of the Los Angeles County District Attorney's Office has completed its review of the August 22, 2020, non-fatal shooting of [redacted] by Los Angeles County Sheriff's Department (LASD) Deputy Daniel Saldivar. Our detailed analysis of this incident is contained in the attached memorandum.

Very truly yours,

GEORGE GASCÓN
District Attorney

By

ALAN YOCHELSON
Head Deputy District Attorney
Justice System Integrity Division

c: Deputy Daniel Saldivar, #[redacted]

Hall of Justice
211 West Temple Street, Suite 1200
Los Angeles, CA 90012
(213) 974-3888
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MEMORANDUM

TO: [redacted]
Los Angeles County Sheriff's Department
Homicide Bureau
1 Cupania Circle
Monterey Park, California 91755

FROM: JUSTICE SYSTEM INTEGRITY DIVISION
Los Angeles County District Attorney's Office

SUBJECT: Non-fatal Officer Involved Shooting of [redacted]
J.S.I.D. File #20-0327
L.A.S.D. File #020-11308-0241-055

DATE: September 7, 2022

The Justice System Integrity Division of the Los Angeles County District Attorney's Office has completed its review of the August 22, 2020, non-fatal shooting of [redacted] by Los Angeles County Sheriff's Department (LASD) Deputy Daniel Saldivar. There is insufficient evidence to prove beyond a reasonable doubt that Deputy Saldivar did not act in lawful self-defense and the defense of another.

The District Attorney's Command Center was notified of this shooting on August 23, 2020, at approximately 12:15 a.m. The District Attorney Response Team (DART) responded to the location, where they received a briefing and walk-through of the scene.

The following analysis is based on police reports, 9-1-1 calls and radio transmissions, recorded interviews, ballistic and DNA reports, cell phone evidence, and other evidence submitted to this office by LASD Homicide Bureau Detectives Scott Lawler and Eugene Hatch. LASD deputies were not equipped with body worn cameras at the time of the incident. Saldivar's voluntary statement was considered in this analysis.

FACTUAL ANALYSIS

In the evening of August 22, 2020, [redacted] parked her white Toyota Corolla on the north side of Triggs Street next to Bristow Park. Sometime after 9:00 p.m., [redacted] was sitting inside the park when she heard a loud crash and saw her car had been struck by a white Honda Civic. [redacted] observed two men who were "dressed like gangsters" looking at the damage to her car and the white Honda before they entered a dark gray Honda and drove away.[1] [redacted] moved her car down the street and called 9-1-1 at approximately 9:42 p.m. The men returned to the location and began fixing the white Honda.

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[1] Leaving the scene of an accident without providing information is a misdemeanor violation of Vehicle Code section 20002(a).

At approximately 9:50 p.m., Deputy Daniel Saldivar and Deputy Michael Martinez, who were wearing full uniforms, responded to the location in separate marked, black-and-white vehicles with the overhead rotating lights activated. Saldivar parked south of the white Honda while Martinez parked behind the white Honda. The deputies observed [redacted], and Rigoberto M. standing near the hood of the white Honda. Saldivar and Martinez exited their patrol vehicles with their handguns drawn and ordered the group to show their hands. [redacted] and [redacted] complied. Saldivar told investigators he observed Rigoberto M. take a step in Saldivar's direction while raising his shirt with his left hand and remove a black, semiautomatic handgun from his waistband with his right hand. Saldivar fired one round from his handgun at Rigoberto M. but struck [redacted] in the right ankle. Rigoberto M. ran southbound across Triggs Street and disappeared into Bristow Park. Saldivar told Martinez that Rigoberto M. had a handgun and reported the shooting to dispatch. Several witnesses inside the park heard the gunshot and observed a man running through the park holding an object under his shirt near his waistband. Deputies rendered aid to [redacted] before he was transported to the Los Angeles County Medical Center/USC and treated for a gunshot wound.

Deputies searched the surrounding area for several hours. At approximately 2:00 a.m., deputies found Rigoberto M. hiding inside a disabled vehicle in the backyard of a house in the [redacted], one block west of the southwestern corner of Bristow Park. Saldivar and Martinez identified Rigoberto M. as the person who fled. Rigoberto M. was placed under arrest for assaulting a peace officer with a deadly weapon in violation of Penal Code section 245(D)(1).[2] A firearm was not recovered from Rigoberto M. nor located in the surrounding area.

WITNESS STATEMENTS

[redacted] Statement

[redacted] was interviewed at the scene by Deputy Mario Salomon.[3] [redacted]. told Salomon that [redacted] was with him in his [redacted] white Honda when the accident occurred. In a subsequent interview with investigators, [redacted] said he was driving the white Honda alone on Triggs Street when he struck a white car.[4] [redacted]. made a U-turn and exchanged information with a sixteen-year old male driver. [redacted] was fixing the damage to the white Honda when a friend [[redacted]] and his friend's [redacted] stopped to help. Ten minutes later, the deputies arrived and parked. [redacted] did not hear the deputies say anything before one of the deputies fired his handgun. [redacted] saw an unidentified man running across the street towards the park and heard the deputy say, "He took off running!" [redacted] said, "You shot me!" The deputy responded, "My bad. I'll take care of you." [redacted] admitted being a member of Choppers 12 but denied associating with them during Covid.[5]

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[2] LASD presented the case to the District Attorney's Office, who rejected the case for further investigation.

[3] This interview was not recorded.

[4] This interview was recorded.

[5] [redacted] is a documented member of the Choppers 12 street gang with a moniker of [redacted]"

[redacted] Statement

[redacted] told investigators he was at his friend [redacted] house fixing his [redacted] blue Honda Civic when he received a call from his friend "[redacted] saying he was involved in a car accident.[6] [redacted] drove the blue Honda to his house located in the [redacted] picked up [redacted] and drove to Triggs Street.[7] A few minutes later, a woman in a gray or silver car dropped off an unidentified man who appeared to be friends with [redacted], [redacted], and [redacted] were standing near the front of the white Honda while the unidentified man was behind the trunk. [redacted] saw the deputies driving towards them and immediately put his hands up and started walking backward. The unidentified man walked approximately ten to fifteen feet in front of [redacted] and appeared to be getting ready to run when the deputies parked and exited their patrol vehicles with their handguns drawn. The unidentified man ran southbound. The deputy pointed his handgun at the unidentified man, then pointed it at [redacted] and fired, striking him in the leg. [redacted] did not hear the deputies give any commands before he was shot. [redacted] asked the deputy, "Why did you shoot me for? I didn't do nothing." The deputy responded, "I know. I'm sorry… it's 'cause the other guy said [sic] he had a gun." [redacted] did not see the unidentified man draw a handgun. [redacted] told investigators he hoped they caught the man who ran, "Because of him, I got shot." [redacted] denied being a member of Choppers 12.

[redacted] Statement

When interviewed at the scene by Salomon, [redacted] said [redacted] contacted her and said he had been involved in a traffic collision.[8] [redacted] drove her blue Honda to Triggs Street to bring tools to [redacted] to fix the car. [redacted] told Salomon she did not know the man who ran from the scene after the shooting. When [redacted] was later interviewed by investigators, she told them she and [redacted] were driving in her blue Honda on Triggs Street when they stopped to help an unidentified man pushing a disabled white car.[9] About 20 to 30 minutes later, [redacted], [redacted] and the unidentified man were standing near the hood of the disabled car when the deputies arrived, exited their patrol vehicle, pointed their handguns at them and ordered them to put their hands up. [redacted], [redacted], and the unidentified man complied with the commands before the deputy shot [redacted] When [redacted] asked the deputy why he fired at them, he responded, "You have a gun!" [redacted] told investigators she recorded the incident on her cell phone but declined to provide them with her passcode or the video. [redacted] repeatedly denied a third man had been with the group before the shooting.

[redacted] Statement

[redacted] told investigators she was visiting [redacted] house a few blocks from the park.[10] At some point, [redacted] and [redacted] left together in [redacted]'s blue Honda. [redacted] stayed

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6 This interview was recorded.

7 [redacted] and [redacted] house is approximately [redacted] of the northwest corner of Bristow Park and [redacted] from where Rigoberto M. was located.

8 This interview was not recorded.

9 This interview was recorded.

10 This interview was recorded.

at the house talking with [redacted] neighbor. About ten minutes later, [redacted] called [redacted] and said, "They got shot." [redacted]. drove her dark gray Kia Optima to the park where she saw [redacted] and the others lying on the ground.

Rigoberto M.'s Statement

Rigoberto M. told investigators he was on parole and admitted being associated with Choppers 12 but declined to make any further statements.[11]

Deputy Martinez's Statement

Martinez told investigators he and Saldivar responded to a hit-and-run call involving two adult males on Triggs Street.[12] When Martinez arrived, he observed three men and a woman standing near the hood of a white Honda Civic with its hazard lights activated. Martinez directed his spotlight to determine whether anyone else was inside the Honda. Martinez was aware there was a Choppers 12-affiliated house in the area, observed the men's clothing and tattoos, and saw tools lying nearby, so he drew his handgun when he exited his patrol vehicle. Both deputies ordered the group to show their hands and not move. The woman and two of the men complied, but the third man kept his hands near his sides and took a step away from the others. Martinez repeated his commands. The third man reached towards his waistband with both hands and bladed his body away from Martinez. Martinez heard a gunshot and immediately looked over to Saldivar, who said the third man had a black "417" (handgun). Martinez did not see whether the man was holding a handgun because the front of the man's body was turned away from him. The third man ran across Triggs Street and disappeared into Bristow Park.

Deputy Saldivar's Statement

Saldivar told investigators when he arrived at the location, he observed four to five "gangster types" standing in front of a white Toyota Corolla with its hazard lights activated.[13] Saldivar exited his patrol vehicle with his handgun drawn and gave the group commands three to four times to show their hands. One of the men took a step towards Saldivar, lifted his shirt with his left hand and pulled out a black, semiautomatic firearm from his waistband with his right hand. In fear for his and his partner's lives, Saldivar fired one round from his handgun directly at the man, who ran southbound into the park. After reporting the shooting to his partner and to dispatch, Saldivar heard one of the other men say he had been shot. Saldivar placed a tourniquet on the man's leg.

EVIDENCE

Criminalists recovered an expended 9mm casing at the scene. The investigation concluded Saldivar fired one round from his Smith & Wesson MP duty weapon. Firearm detection canines searched Bristow Park but did not locate any additional evidence.

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[11] This interview was recorded.
[12] This interview was recorded.
[13] This interview was recorded.

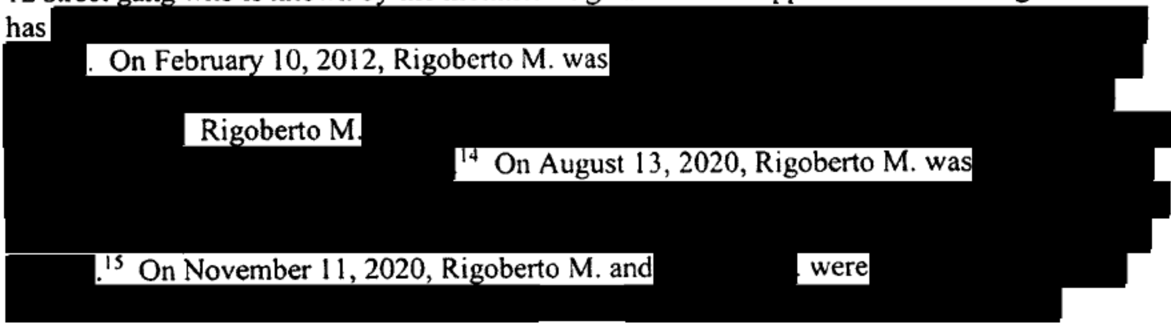
Criminalists recovered a black hat and a cell phone inside the car where Rigoberto M. was located. Criminalists recovered a gray, short-sleeved T-shirt, underwear, blue and gray shorts, and a black baseball cap in the driveway of the same location. Particles characteristic of gunshot primer residue were detected on the T-shirt and shorts. The T-shirt, underwear and black baseball cap were tested for DNA and found to contain two contributors; Rigoberto M. was excluded as a contributor.

Cell Phone Evidence

Investigators obtained search warrants for the cell phones associated with [redacted], [redacted] and Rigoberto M. On [redacted] phone, investigators identified several text messages and calls with [redacted] between 1:02 a.m. and 9:27 p.m. on August 22, 2020. Between 12:25 a.m. and 9:10 p.m., several text messages and calls were made between [redacted] phone and a number listed under "Yg." The number listed in [redacted] phone under "Yg" is the same number as the phone recovered inside the car with Rigoberto M. Investigators located a video of [redacted] and [redacted] displaying Choppers 12 hand gestures, videos of several men displaying Choppers 12 hand gestures and spray-painting Choppers 12 graffiti, and videos taken inside [redacted]'s blue Honda. On [redacted] phone, investigators located photographs and a video of semiautomatic handguns. Investigators were unable to locate any video of the incident on [redacted] phone. Investigators noted several calls between [redacted] and [redacted] before the incident and a call from [redacted] to [redacted] at 9:52 p.m. Investigators were unable to complete an examination of the phone recovered inside the car with Rigoberto M. Rigoberto M. provided investigators with a phone number that was different than the phone recovered inside the car.

Other Relevant Evidence

In a criminal action, evidence of the character or a trait of character in the form of an opinion, evidence of reputation, or evidence of specific instances of conduct of the victim of the crime may be admissible to prove conduct of the victim in conformity with the character or trait of character. Evidence Code section 1103. Rigoberto M. is a documented member of the Choppers 12 street gang who is known by the moniker "Yg" and has Choppers 12 tattoos. Rigoberto M.



has [redacted]. On February 10, 2012, Rigoberto M. was [redacted] Rigoberto M. [redacted][14] On August 13, 2020, Rigoberto M. was [redacted].[15] On November 11, 2020, Rigoberto M. and [redacted] were [redacted]

[14] On May 14, 2012, Rigoberto M. was [redacted]

[15] On September 3, 2020, the Montebello Police Department [redacted] Rigoberto M. [redacted] A criminal case has not been filed.

[redacted]

LEGAL ANALYSIS

California law permits the use of deadly force in self-defense or in the defense of others if the person claiming the right of self-defense or the defense of others actually and reasonably believed that he or others were in imminent danger of great bodily injury or death. Penal Code section 197; *People v. Randle* (2005) 35 Cal.4th 987, 994 (overruled on another ground in *People v. Chun* (2009) 45 Cal.4th 1172, 1201); *People v. Humphrey* (1996) 13 Cal.4th 1073, 1082; *see also,* CALCRIM No. 505. "[U]nder the doctrine of transferred intent, self-defense may also apply where the defendant intends to injure or kill the person who poses the threat, but inadvertently [injures or] kills an innocent bystander instead." *People v. Curtis* (1994) 30 Cal.App.4th 1337, 1357 (citing *People v. Matthews* (1979) 91 Cal.App.3d 1018, 1023-1024).

A peace officer is justified in using deadly force upon another person when the officer reasonably believes, based on the totality of the circumstances, that such force is necessary for either of the following reasons: (1) to defend against an imminent threat of death or serious bodily injury to the officer or to another person; or (2) to apprehend a fleeing person for any felony that threatened or resulted in death or serious bodily injury, if the officer reasonably believes that the person will cause death or serious bodily injury to another unless immediately apprehended. Penal Code section 835a(c)(1)(A) & (B).

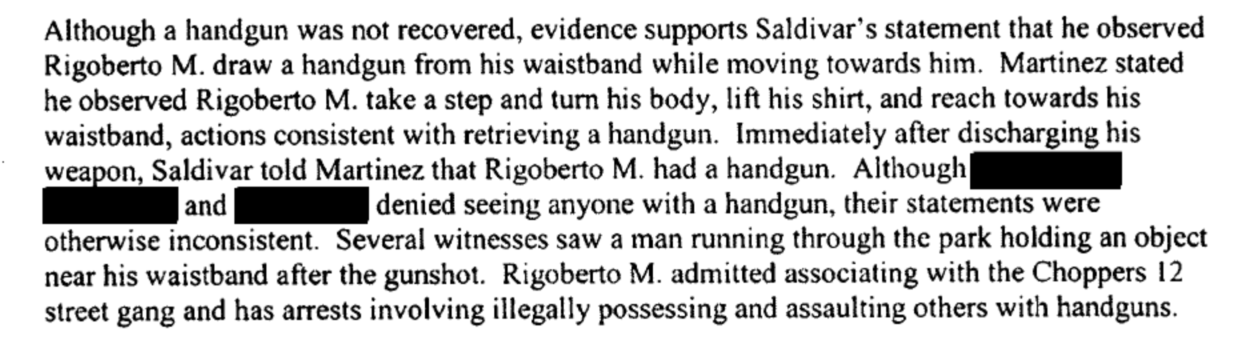
A threat of death or serious bodily injury is imminent when, based on the totality of the circumstances, a reasonable officer in the same situation would believe a person has the present ability, opportunity, and apparent intent to immediately cause death or serious bodily injury to the peace officer or another person. An imminent harm is not merely a fear of future harm, no matter how great the fear and no matter how great the likelihood of the harm, but is one that, from appearances, must be instantly confronted and addressed. Penal Code section 835a(e)(2). When considering the totality of the circumstances, all facts known to or perceived by the peace officer at the time, including the conduct of the officer and the subject leading up to the use of deadly force, are taken into consideration. Penal Code section 835a(a)(4) & (e)(3). The peace officer's decision to use force is not evaluated with the benefit of hindsight and shall account for occasions when officers may be forced to make quick judgments about using force. Penal Code section 835a(a)(4).

In evaluating whether a police officer's use of deadly force was reasonable in a specific situation, it is helpful to draw guidance from the objective standard of reasonableness adopted in civil actions alleging Fourth Amendment violations. "The 'reasonableness' of a particular use of force must be judged from the perspective of a reasonable officer on the scene, rather than with the 20/20 vision of hindsight... The calculus of reasonableness must embody allowance for the fact that police officers are often forced to make split-second judgments—in circumstances that are tense, uncertain, and rapidly evolving—about the amount of force that is necessary in a particular situation." *Graham v. Connor* (1989) 490 U.S. 386, 396-397.

[16] The case was later dismissed due to the unavailability of witnesses.

"[A]n officer may reasonably use deadly force when he or she confronts an armed suspect in close proximity whose actions indicate an intent to attack. In these circumstances, the Courts cannot ask an officer to hold fire in order to ascertain whether the suspect will, in fact, injure or murder the officer." *Martinez v. County of Los Angeles* (1996) 47 Cal.App.4th 334, 345 (quoting *Reynolds v. County of San Diego* (S.D. Cal. 1994) 858 F.Supp. 1064, 1072).

Saldivar and Martinez responded to a hit-and-run call at night in an area known to be frequented by members of the Choppers 12 street gang. When the deputies arrived at the location, they encountered several people wearing gang attire standing near a damaged Honda matching the description of the hit-and-run vehicle. For their safety, the deputies drew their handguns and ordered the group to show their hands and not move. Saldivar said instead of following the deputies' commands, Rigoberto M. took a step in his direction, lifted his shirt, and pulled a black, semiautomatic handgun from his waistband. Saldivar stated he fired one round from his duty weapon in fear for his and his partner's lives in response to Rigoberto M.'s actions.



Although a handgun was not recovered, evidence supports Saldivar's statement that he observed Rigoberto M. draw a handgun from his waistband while moving towards him. Martinez stated he observed Rigoberto M. take a step and turn his body, lift his shirt, and reach towards his waistband, actions consistent with retrieving a handgun. Immediately after discharging his weapon, Saldivar told Martinez that Rigoberto M. had a handgun. Although [redacted] and [redacted] denied seeing anyone with a handgun, their statements were otherwise inconsistent. Several witnesses saw a man running through the park holding an object near his waistband after the gunshot. Rigoberto M. admitted associating with the Choppers 12 street gang and has arrests involving illegally possessing and assaulting others with handguns.

There is insufficient evidence to prove beyond a reasonable doubt that Saldivar did not actually and reasonably believe he and his partner were in imminent threat of death or serious bodily injury and that deadly force was necessary when he discharged his weapon in response to Rigoberto M. moving towards him while drawing a handgun from his waistband. Under the doctrine of transferred intent, the reasonableness of the force used against Rigoberto M. applies to the round that inadvertently struck [redacted].

CONCLUSION

We find there is insufficient evidence to prove beyond a reasonable doubt that Deputy Saldivar did not act in lawful self-defense and the defense of another when he discharged his weapon.

A TRADITION OF SERVICE

COUNTY OF LOS ANGELES SHERIFF'S DEPARTMENT
INCIDENT REPORT

ACTION: ☐ INACTIVE ☒ ACTIVE ☐ PENDING | NON-CRIMINAL ☐ | # OF ADULT ARRESTS: 1 | # OF SUBJECT DETENTIONS: 0 | URN#: RETENTION 0, YEAR 20, SEQUENTIAL 11308, REPORTING DISTRICT 0241, STAT CODE 055 | TAG# 276

CLASSIFICATION 1 / LEVEL / STAT CODE
ASSAULT WITH A DEADLY WEAPON - AGAINST A POLICE OFFICER 245(d)(3) P.C. / F / 055

CLASSIFICATION 2 / LEVEL / STAT CODE
DEAPUTY INVOLVED IN A SHOOTING / NC / 013

CLASSIFICATION 3 / LEVEL / STAT CODE
—

CLASSIFICATION 4 / LEVEL / STAT CODE
—

ADDITIONAL STAT CODES ☐ ASAP / 63 ☐ FIREARM RELATED / 830 ☐ GANG RELATED / 860 ☐ CYBER CRIME / 551 ☐ CYBER - RELATED CRIME / 552 ☐ CYBER - RELATED INCIDENT (NON - CRIMINAL) / 559 ☐ OTHER

DATE / TIME / DAY OF OCCURRENCE
8-22-20 / 2152 HOURS / SATURDAY

☐ PRINTS REQUESTED ☐ PRINTS COMPLETED | REQUESTED BY | TIME | BUSINESS NAME

LOCATION OF OCCURRENCE
[redacted] SOUTH MCDONNELL AVENUE, COMMERCE 90040

CODE: V - VICTIM • W - WITNESS • I - INFORMANT • R - REPORTING PARTY • P - PARTY

CODE V # 1 of 1 | LAST NAME DEPUTY SALDIVAR | FIRST NAME D. | MIDDLE NAME | SEX | RACE | DOB | AGE | DRIVER'S LICENSE / STATE ID

RESIDENCE ADDRESS: LOS ANGELES COUNTY SHERIFF'S DEPARTMENT | CITY | STATE | ZIP | RESIDENCE PHONE (Area Code)

BUSINESS / SCHOOL (GRADE) ADDRESS: 5019 E. 3RD STREET | CITY LOS ANGELES | STATE CA | ZIP 90022 | BUSINESS PHONE (Area Code) (323) 264-4151

ETHNIC ORIGIN | EMAIL ADDRESS | SOCIAL NETWORKING ACCOUNT | CELL PHONE (Area Code)

VICTIM OF OFFENSE(S) (CLASSIFICATION) # | VICTIM DESIROUS OF PROSECUTION? ☐ YES ☐ NO N/A | VICTIM OF SEX CRIME DESIROUS OF CONFIDENTIALITY? ☐ YES ☐ NO N/A | ENGLISH SPEAKING? ☒ YES ☐ NO | LANGUAGE

CODE W # 1 of 1 | LAST NAME MARTINEZ | FIRST NAME MIKE | MIDDLE NAME | SEX | RACE | DOB | AGE | DRIVER'S LICENSE / STATE ID

RESIDENCE ADDRESS: LOS ANGELES COUNTY SHERIFF'S DEPARTMENT. | CITY | STATE | ZIP | RESIDENCE PHONE (Area Code)

BUSINESS / SCHOOL (GRADE) ADDRESS: 5019 E. 3RD STREET | CITY LOS ANGELES | STATE CA | ZIP 90022 | BUSINESS PHONE (Area Code) (323) 264-4151

ETHNIC ORIGIN | EMAIL ADDRESS | SOCIAL NETWORKING ACCOUNT | CELL PHONE (Area Code)

VICTIM OF OFFENSE(S) (CLASSIFICATION) # N/A | VICTIM DESIROUS OF PROSECUTION? ☐ YES ☐ NO N/A | VICTIM OF SEX CRIME DESIROUS OF CONFIDENTIALITY? ☐ YES ☐ NO N/A | ENGLISH SPEAKING? ☒ YES ☐ NO | LANGUAGE

CODE: S - SUSPECT • SJ - SUBJECT • M - PATIENT • S/V - SUSPECT / VICTIM • SJ / V - SUBJECT / VICTIM

CODE S 1-? | LAST NAME UNKNOWN | FIRST NAME | MIDDLE NAME | DOB — | AGE 26-28 | DRIVER'S LICENSE / STATE ID —

SEX M | RACE H | ETHNIC ORIGIN | HAIR BLK | EYES — | HEIGHT 5'06" — 5'08" | WEIGHT 140 — 150 LBS | CELL PHONE (Area Code) —

RESIDENCE ADDRESS | CITY | STATE | ZIP | RESIDENCE PHONE (Area Code) —

BUSINESS / SCHOOL (GRADE) ADDRESS | CITY | STATE | ZIP | BUSINESS PHONE (Area Code) —

AKA | EMAIL ADDRESS | SOCIAL NETWORKING ACCOUNT | ENGLISH SPEAKING? ☐ YES ☐ NO

MONIKER | CHARGE | BOOKING NUMBER | LANGUAGE | WHERE DETAINED OR CITE NUMBER N.I.C

CODE / # of | LAST NAME | FIRST NAME | MIDDLE NAME | DOB | AGE | DRIVER'S LICENSE / STATE ID

SEX | RACE | ETHNIC ORIGIN | HAIR | EYES | HEIGHT | WEIGHT | CELL PHONE (Area Code)

RESIDENCE ADDRESS | CITY | STATE | ZIP | RESIDENCE PHONE (Area Code)

BUSINESS / SCHOOL (GRADE) ADDRESS | CITY | STATE | ZIP | BUSINESS PHONE (Area Code)

AKA | EMAIL ADDRESS | SOCIAL NETWORKING ACCOUNT | ENGLISH SPEAKING? ☐ YES ☐ NO

MONIKER | CHARGE | BOOKING NUMBER | LANGUAGE | WHERE DETAINED OR CITE NUMBER

BY DEPUTY: SALOMON M. | EMPLOYEE # [redacted] | SWORN EXP IN YRS 1
DEPUTY: HERNANDEZ R | EMPLOYEE # [redacted] | SWORN EXP IN YRS 14 | VACATION DATES NONE

STATION: ELA | UNIT / CAR # 21A | SHIFT PM
APPROVED: [signature] | EMPLOYEE # [redacted] | DATE / TIME 8/23/20, 1120

PCD SUBMITTED? ☐ YES ☒ NO | VACATION DATES NONE
ASSIGNMENT: HOMICIDE

HQ NOTIFICATION REQUESTED? ☐ YES ☒ NO | DEPUTY | DATE / TIME
SPECIAL REQUEST DISTRIBUTION

SUSPECT / SUBJECT FIELD RELEASE APPROVED BY N/A | DATE / TIME
CRIME BROADCAST BY | DATE / TIME | SECRETARY

76C300F - SH-R-49 (Rev. 4/2014)

A TRADITION OF SERVICE

COUNTY OF LOS ANGELES SHERIFF'S DEPARTMENT
INCIDENT REPORT

URN# 020-11308-0241-05
TAG # 276
DATE 8-22-20 PAGE 2 OF 4

VEHICLE

VEHICLE FOR VICTIM #
VEHICLE FOR SUSPECT #
LICENSE (STATE & NUMBER)
REGISTERED OWNER

YEAR	MAKE	MODEL	BODY TYPE	COLOR

IDENTIFYING FEATURES

STATUS ☐ STOLEN ☐ STORED ☐ DAMAGED ☐ IMPOUNDED ☐ EMBEZZLED ☐ OUTSTANDING

CHP 180 SUBMITTED? ☐ YES ☐ NO

GARAGE NAME & PHONE

DESCRIPTION OF DAMAGE

VEHICLE

VEHICLE FOR VICTIM #
VEHICLE FOR SUSPECT #
LICENSE (STATE & NUMBER)
REGISTERED OWNER

YEAR	MAKE	MODEL	BODY TYPE	COLOR

IDENTIFYING FEATURES

STATUS ☐ STOLEN ☐ STORED ☐ DAMAGED ☐ IMPOUNDED ☐ EMBEZZLED ☐ OUTSTANDING

CHP 180 SUBMITTED? ☐ YES ☐ NO

GARAGE NAME & PHONE

DESCRIPTION OF DAMAGE

SCREENING FACTORS

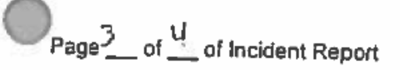
☐ 1. SUSPECT IN CUSTODY
☐ 2. SUSPECT NAMED / KNOWN
☐ 3. UNIQUE SUSPECT IDENTIFIERS
☐ 4. VEHICLE IN CUSTODY
☐ 5. UNIQUE VEHICLE IDENTIFIERS
☐ 6. WRITER/REVIEWER DISCRETION

PROPERTY CODE:

S – STOLEN • R – RECOVERED • L – LOST • F – FOUND • E – EMBEZZLED • D – DAMAGED • K – SAFEKEEPING
(Use all applicable Codes; for example, if property is both Stolen and Recovered, Code is S/R)

RELEASED TO

CODE	ITEM #	QUAN.	DESCRIPTION (include kind of article, trade name, identifying numbers, physical description, material, color, condition, age and present market value)	SERIAL #	VALUE



COUNTY OF LOS ANGELES SHERIFF'S DEPARTMENT EVIDENCE AND PROPERTY PAGE

Homicide Bureau
URN FILE#: 020-11308-0241-055

EV = Evidence F = Found F250 = Found greater than $250 S = Surrendered K = Safekeeping P = Inmate Property

CAT	ITEM #	CSI #	QUAN	DESCRIPTION	VALUE	BOOKED BY	BOOKING DATE	BARCODE #
EV	1		1	Documents - (10) Witness Transfer consent forms consent forms Article: Other Make: Unknown Model: Unknown Serial Number: Unknown		Mario Salomon Jr [redacted]	08/23/2020	

D[illegible] [redacted] 5/27/20

While working Unit 21A PM overlap shift, Deputy Hernandez and I responded to [redacted] McDonnell Avenue in East Los Angeles regarding an emergency assist request. Unit 27A (Deputy Saldivar #[redacted]) conducted a traffic stop on a hit and run suspect vehicle. During the traffic stop one of the unknown male adults (Suspect 1) assaulted Deputy Saldivar with a firearm.

Prior to our arrival, we heard via our hand held radio Unit 27A (Deputy Saldivar) was involved in Deputy involved shooting.

One of the disturbing parties detained during the traffic stop regarding the hit and run investigation was hit by the round Unit 27A (Dep. Saldivar) fired. Los Angeles County Fire Department Engine # 3, Squad # 3, under the direction of Captain Boulware responded to the location and medically evaluated and treated the disturbing party on scene. The disturbing party was transported to Los Angeles County Medical Center/USC (LCMC) by CARE Ambulance 1121 and Unit 23 PM Shift (Deputies Santiago #[redacted] and Deputy Trujillo #[redacted]) for a non-life threatening wound to his right ankle.

Upon our arrival, we saw Unit 27A (Deputy Saldivar) patrol vehicle parked in the westbound lanes of the [redacted], facing West, with the patrol lights activated. Unit 27A's patrol vehicle was stopped in a Southeast direction adjacent to the White Honda Civic. We also saw Unit 27T (Deputy Martinez #[redacted]) patrol vehicle parked directly behind the White Honda Civic, with the patrol lights activated. The White Honda was parked in a Northeast direction, facing the North curb of Triggs Street. The White Honda appeared to have traffic collision damage and the front passenger wheel was damaged.

We notified Los Angeles County Sheriff's Department Homicide Bureau of the incident at 0041 Hrs. We advised Detective Sloan #[redacted] of this incident.

Homicide Detectives (Detective Hatch #[redacted] and Detective Lawler #[redacted]) arrived on scene at 0145 Hrs. and took over the investigation. For further information see Homicide's supplemental report under the same file number.

LOS ANGELES COUNTY SHERIFF'S DEPARTMENT
CRIME ANALYSIS SUPPLEMENTAL FORM -- SUSPECT / SUBJECT INFORMATION

URN 020-11380-0241-055

BY DEP SALOMON, M.

EMPLOYEE # [redacted]

SUSPECT / SUBJECT # 1 NAME UNKNOWN

SUSPECT / SUBJECT # ____ NAME ____

CLOTHING DESCRIPTION	
ITEM TYPE	DESCRIPTION
SHIRT	BLUE PLAD SHIRT
SHIRT	WHT T-SHIRT
SHORTS	BLUE JEAN SHORTS

ITEM TYPES: CAP / HAT, COAT / JACKET, DRESS / SKIRT, GLASSES, GLOVES, JEWELRY, PANTS, SHIRT / BLOUSE, SHOES, SHORTS, OTHER

CLOTHING DESCRIPTION	
ITEM TYPE	DESCRIPTION

L	R	UNK	BODY PART	SCARS / MARKS / TATTOOS / ODDITIES
				UNKNOWN

☐ SUSPECTED GANG MEMBER NAME OF GANG

L	R	UNK	BODY PART	SCARS / MARKS / TATTOOS / ODDITIES

☐ SUSPECTED GANG MEMBER NAME OF GANG

HAIR LENGTH
- ☐ COLLAR
- ☐ LONG
- [X] SHORT
- ☐ SHOULDER
- ☐ ____

HAIR TYPE
- ☐ BALD
- ☐ RECEDING
- ☐ THICK
- ☐ THINNING
- [X] WIG
- [X] ____

HAIR STYLE
- ☐ AFRO / NATURAL
- ☐ BRAIDED / DREDLOCKS
- ☐ BUSHY
- ☐ BUTCH
- ☐ COMBED BACK
- ☐ CURLERS
- ☐ CURLY
- ☐ FLAT TOP
- ☐ GREASY
- ☐ JHERI CURL
- ☐ MILITARY
- ☐ NETS
- ☐ PONY TAIL
- ☐ PROCESSED
- ☐ PUNK
- ☐ SHAVED
- [X] STRAIGHT
- ☐ WAVY
- ☐ ____

COMPLEXION
- ☐ ACNE / POCKED
- ☐ ALBINO
- ☐ DARK
- ☐ FRECKLED
- ☐ LIGHT / FAIR
- [X] MEDIUM
- ☐ PALE
- ☐ RUDDY
- ☐ SALLOW
- ☐ TANNED
- ☐ WEATHERED
- ☐ WRINKLED
- ☐ ____

FACIAL HAIR
- ☐ BEARD
- ☐ CLEAN SHAVEN
- ☐ FUZZ
- ☐ GOATEE
- ☐ LOWER LIP
- ☐ MOUSTACHE
- ☐ SIDE BURNS
- ☐ UNSHAVEN
- [X] UNKNOWN

TEETH
- ☐ BROKEN / CHIPPED
- ☐ BRACES
- ☐ BUCK
- ☐ CROOKED
- ☐ DECAYED
- ☐ FALSE
- ☐ GAP / SPACE
- ☐ GOLD CAP
- ☐ JEWELED
- ☐ MISSING
- ☐ NONE
- ☐ SILVER CAP
- ☐ STAINED
- [X] UNKNOWN

SPEECH
- [X] ACCENT
- [X] DISGUISE
- ☐ LISPS
- ☐ MUMBLES
- ☐ RAPID
- ☐ RASPY
- ☐ SLOW
- ☐ SLURRED
- ☐ STUTTER
- ☐ ____

HANDED
- ☐ LEFT
- ☐ RIGHT
- ☐ BOTH

WEAPON

FIREARM

Style:
- ☐ MULTIPLE
- ☐ BB / PELLET
- ☐ HANDGUN
- ☐ RIFLE
- ☐ SAWED-OFF
- ☐ SHOTGUN
- [X] SIMULATED
- ☐ ZIP GUN
- ☐ ____

Action:
- ☐ DERRINGER
- ☐ FULLY AUTO
- ☐ PUMP
- ☐ REVOLVER
- [X] SEMI AUTO
- ☐ SINGLE SHOT
- ☐ ____

Barrel Type:
- [X] SINGLE BARREL
- ☐ DOUBLE BARREL
- ☐ THREE BARREL
- ☐ 4 OR MORE BARREL
- ☐ ____

Color / Finish:
- ☐ BLUE STEEL
- ☐ CHROME / NICKEL
- ☐ DULL BLACK
- ☐ RUSTED
- ☐ STAINLESS STEEL
- [X] BLACK

Grip / Stock:
- ☐ ALTERED
- ☐ BONE / PEARL / IVORY
- ☐ COLLAPSES / FOLDS
- ☐ METAL / PLASTIC
- ☐ NO GRIP
- ☐ RUBBER / VINYL
- ☐ TAPED
- ☐ THUMB HOLE
- ☐ WOOD
- [X] N/A

☐ GAUGE ____ / ____

☐ CALIBER ____ / ____ (5)

KNIFE

Style:
- ☐ MULTIPLE
- ☐ BUCK
- ☐ BUTCHER / KITCHEN
- ☐ DIRK / DAGGER / STILETTO
- ☐ HUNTING / BOWIE
- ☐ SIMULATED
- ☐ SWITCHBLADE
- ☐ TOY
- [X] N/A

Blade:
- ☐ FIXED
- ☐ FOLDING

CHEMICAL
- ☐ CAUSTIC
- ☐ INFECTIOUS
- ☐ MACE
- ☐ PEPPER SPRAY
- ☐ SIMULATED
- ☐ TEAR GAS
- ☐ TOXIC
- [X] N/A

BLUNT INSTRUMENT
- ☐ BASEBALL BAT
- ☐ BILLY CLUB
- ☐ BRASS KNUCKLES
- ☐ BRICK / ROCK / BOTTLE
- ☐ CLUB / BLUDGEON
- ☐ HAMMER / TOOL
- ☐ NUNCHAKUS
- ☐ TIRE IRON
- [X] N/A

CUT / STAB
- ☐ BAYONET / SWORD
- ☐ BOTTLE / GLASS
- ☐ ICE PICK
- ☐ MACHETE
- ☐ RAZOR
- ☐ SCREWDRIVER
- ☐ THROWING STARS
- [X] N/A

EXPLOSIVE / INCENDIARY
- ☐ FIREWORKS
- ☐ MOLOTOV COCKTAIL
- [X] UNK

OTHER WEAPON
- ☐ BODILY FORCE
- ☐ LIGATURE
- ☐ SLING SHOT
- ☐ SYRINGE
- ☐ TASER / STUN GUN
- [X] N/A

RELATIONSHIP OF VICTIM TO SUSPECT:
- V# ____ V# ____ ACQUAINTANCE
- V# ____ V# ____ BABYSITTEE (PERSONS WATCHED / BABY)
- V# ____ V# ____ BOYFRIEND / GIRLFRIEND
- V# ____ V# ____ CHILD
- V# ____ V# ____ CHILD OF BOYFRIEND OR GIRLFRIEND
- V# ____ V# ____ COMMON - LAW SPOUSE
- V# ____ V# ____ EMPLOYEE
- V# ____ V# ____ EMPLOYER
- V# ____ V# ____ EX - SPOUSE
- V# ____ V# ____ FRIEND
- V# ____ V# ____ GRANDCHILD
- V# ____ V# ____ GRANDPARENT
- V# ____ V# ____ HOMOSEXUAL RELATIONSHIP
- V# ____ V# ____ IN - LAW
- V# ____ V# ____ NEIGHBOR
- V# ____ V# ____ OTHER FAMILY MEMBER
- V# 1 V# ____ OTHERWISE KNOWN
- V# ____ V# ____ PARENT
- V# ____ V# ____ RELATIONSHIP UNKNOWN
- V# ____ V# ____ SIBLING (BROTHER OR SISTER)
- V# ____ V# ____ SPOUSE
- V# ____ V# ____ STEPCHILD
- V# ____ V# ____ STEPPARENT
- V# ____ V# ____ STEPSIBLING (STEPBROTHER OR STEPSISTER)
- V# ____ V# ____ VICTIM WAS OFFENDER
- V# ____ V# ____ VICTIM WAS STRANGER

LOS ANGELES COUNTY SHERIFF'S DEPARTMENT
CRIME ANALYSIS SUPPLEMENTAL FORM -- M. O. FACTORS

URN 020-11308-0241-055

AREA
- [ ] AIRPORT
- [ ] BEACH / OCEAN
- [ ] COMMERCIAL
- [ ] CONSTRUCTION SITE
- [ ] DESERT
- [ ] DRIVEWAY
- [ ] FREEWAY / HIGHWAY
- [ ] GOLF COURSE
- [ ] HARBOR
- [ ] INDUSTRIAL / WHOLESALE
- [ ] MOUNTAINS / FOOTHILLS
- [ ] PARK
- [ ] RESIDENTIAL
- [ ] RIVER
- [ ] RURAL / ISOLATED
- [ ] SCHOOL GROUNDS
- [ ] SHOPPING CENTER
- [ ] SIDEWALK
- [X] STREET / ALLEY
- [ ] TRAIN RIGHT-OF-WAY / TRACKS
- [ ] VACANT LOT / OPEN FIELD
- [ ] WATER / LAKE
- [ ] ______

STRUCTURE: RESIDENTIAL
- [ ] APARTMENT
- [ ] CONDOMINIUM / TOWNHOUSE
- [ ] CONVALESCENT HOSPITAL
- [ ] DUPLEX
- [ ] MOBILE HOME
- [ ] SINGLE FAMILY
- [ ] VACANT
- [ ] VESSEL / BOAT
- [X] ______

STRUCTURE: NON - RESIDENTIAL
- [ ] BANK / FINANCE
- [ ] BAR
- [ ] BUSINESS OFFICE
- [ ] CARGO CONTAINER
- [ ] CATERING TRUCK
- [ ] ENTERTAINMENT / RECREATION
- [ ] FAST FOOD
- [ ] GAS STATION
- [ ] HOSPITAL
- [ ] HOTEL / MOTEL
- [ ] INDUSTRIAL / MANUFACTURING / WAREHOUSE
- [ ] JAIL / PRISON
- [ ] JEWELRY / COIN / PAWN
- [ ] LIQUOR
- [ ] MARKET
- [ ] MINI MART
- [ ] NURSING FACILITY
- [ ] PARKING LOT / STRUCTURE
- [ ] PASSENGER STATION / PLATFORM (PAX)
- [ ] PHARMACY / MEDICAL / DENTAL
- [ ] PUBLIC BUILDING
- [ ] RELIGIOUS BUILDING
- [ ] RESTAURANT
- [ ] RETAIL GOODS
- [ ] RETAIL SERVICE / REPAIR
- [ ] SCHOOL
- [ ] STORAGE / RENTAL
- [ ] TRAIN - FREIGHT
- [ ] TRAIN - PASSENGER - LIGHT RAIL
- [ ] TRAIN - PASSENGER - HEAVY RAIL
- [ ] VACANT
- [ ] VEHICLE - COMMERCIAL
- [ ] VESSEL / BOAT
- [ ] VIDEO / MUSIC
- [ ] ______

TARGET: RESIDENTIAL
- [ ] ATTIC
- [ ] BEDROOM
- [ ] DINING ROOM
- [ ] GARAGE / PARKING AREA
- [ ] HALLWAY
- [ ] KITCHEN
- [ ] LAUNDRY ROOM
- [ ] LIVING / FAMILY ROOM
- [ ] MAIL BOX
- [ ] PATIO / PORCH
- [ ] SAFE / BOX
- [ ] STORAGE / SHED
- [ ] STABLES / TACK ROOM
- [ ] VEHICLE
- [X] STREET

TARGET: NON - RESIDENTIAL
- [ ] AUTOMATED TELLER
- [ ] CASH REGISTER / DRAWER
- [ ] CLASSROOM / SUPPLIES
- [ ] COIN OP MACHINE
- [ ] DISPLAY ITEMS
- [ ] OFFICE
- [ ] SAFE / BOX
- [ ] SNACK BAR
- [ ] STORAGE LOCKER
- [ ] VEHICLE
- [ ] VESSEL
- [ ] BICYCLIST
- [ ] CUSTOMER
- [ ] ELDER / SENIOR CITIZEN
- [ ] DISABLED PERSON
- [ ] OWNER / EMPLOYEE
- [ ] PEDESTRIAN
- [ ] HOMELESS
- [ ] VICTIM IN VEHICLE
- [X] N/A

POINT OF ENTRY / EXIT

IN	EX	
[ ]	[ ]	FRONT
[ ]	[ ]	REAR
[ ]	[ ]	SIDE
[ ]	[ ]	GROUND LEVEL
[ ]	[ ]	UPPER LEVEL
[ ]	[ ]	ADJACENT BUILDING
[ ]	[ ]	BASEMENT
[ ]	[ ]	DOOR / SCREEN
[ ]	[ ]	DUCT / VENT
[ ]	[ ]	FENCE / GATE
[ ]	[ ]	FIREPLACE
[ ]	[ ]	FLOOR
[ ]	[ ]	GARAGE
[ ]	[ ]	GLASS DOOR
[ ]	[ ]	HOUSE BEING FUMIGATED
[ ]	[ ]	LOUVRE
[ ]	[ ]	MAIL SLOT
[ ]	[ ]	PET DOOR
[ ]	[ ]	ROOF / SKYLIGHT
[ ]	[ ]	SLIDING GLASS DOOR
[ ]	[ ]	WALL
[ ]	[ ]	WINDOW / SCREEN
[X]	[X]	N/A

VEHICLE ENTRY / EXIT

IN	EX	
[ ]	[ ]	CAMPER / SHELL / MOTORHOME
[ ]	[ ]	CONVERTIBLE
[ ]	[ ]	DOOR
[ ]	[ ]	DRIVER SIDE
[ ]	[ ]	HOOD
[ ]	[ ]	PASSENGER SIDE
[ ]	[ ]	SUNROOF
[ ]	[ ]	TRUCK BED
[ ]	[ ]	TRUNK
[ ]	[ ]	WINDOW
[ ]	[ ]	WINDWING
[ ]	[ ]	

METHOD OF ENTRY
- [ ] ATTEMPT ONLY
- [ ] BODILY FORCE
- [ ] CUT
- [ ] HID IN BUILDING
- [ ] KICKED
- [ ] KNOB TWIST
- [ ] LET IN / RUSE
- [ ] LOCK BOX
- [ ] LOCK CUT / BROKEN
- [ ] LOCK PUNCHED
- [ ] LOCK SLIP / KEY / PICK
- [ ] NO FORCE
- [ ] OPEN FOR BUSINESS
- [ ] OPEN / UNLOCKED
- [ ] PHONE
- [ ] PRIED
- [ ] REMOVED
- [ ] SMASHED
- [ ] TUNNELED
- [ ] UNBOLTED GATE
- [X] N/A

METHOD OF ENTRY: TOOLS USED
- [ ] BODILY FORCE
- [ ] BOLT CUTTER
- [ ] BRICK / ROCK
- [ ] CHANNEL LOCK / PLIERS
- [ ] CUTTING INSTRUMENT
- [ ] ELECTRONIC DEVICE
- [ ] GLASS CUTTER
- [ ] KEY
- [ ] PRY TOOL
- [ ] SAW / BURN / DRILL
- [ ] SLIDE HAMMER
- [ ] SLIP DEVICE
- [ ] VEHICLE
- [X] N/A

SECURITY SYSTEM
- [X] NONE
- [ ] AUDIBLE ALARM
- [ ] CAMERA
- [ ] CRIME WATCH
- [ ] DOG
- [ ] FENCE / BARS
- [ ] GUARD SERVICE
- [ ] OPERATION ID
- [ ] OUTSIDE LIGHTING
- [ ] SECURITY SIGN / STICKER
- [ ] SILENT ALARM
- [ ] SPECIAL LOCKS / DEADBOLT
- [ ] WINDOW BARS
- [ ] ______

SUSPECT ACTIONS
- [ ] ATE / DRANK ON PREMISES
- [ ] CASED LOCATION
- [ ] COSTUME / DISGUISE WORN
- [ ] DEFECATED / URINATED
- [ ] DEMAND NOTE USED
- [ ] DEMANDED DRUGS / MONEY / ETC
- [ ] DISABLED PHONE
- [ ] DISABLED POWER
- [ ] DISABLED SECURITY SYSTEM
- [ ] DISABLED VEHICLE
- [ ] EXCESSIVE FORCE
- [ ] FIRED WEAPON
- [ ] FONDLED SELF
- [ ] GRAFFITI
- [ ] HID IN BUILDING
- [ ] IGNITION PUNCHED
- [ ] JUMPED THE COUNTER
- [ ] KNEW LOCATION OF HIDDEN CASH
- [ ] MASK WORN
- [ ] MASTERBATED / EJACULATED
- [ ] PHOTOGRAPHED / VIDEOTAPED
- [ ] PILLOWCASE TAKEN / USED
- [ ] POLICE SCANNER USED
- [ ] RANSACKED
- [ ] RECORDED / LOGGED EVENTS
- [ ] RIPPED / CUT CLOTHING
- [ ] SELECTIVE PROPERTY TAKEN
- [ ] SMOKED
- [ ] TAKEOVER
- [ ] TOOK CONCEALABLES
- [ ] USED MULTIPLE WEAPONS
- [ ] VEHICLE USED TO REMOVE PROPERTY
- [ ] VANDALIZED
- [ ] VICTIM'S NAME USED
- [ ] VICTIM'S TOOLS USED
- [ ] WASHED CLOTHING / BEDDING
- [ ] WIPED SCENE AFTER CRIME
- [X] BRANDISHED WEAPON

SUSPECT WAS / HAD:
- [X] ______
- [ ] ALCOHOL ON BREATH
- [ ] ANGRY
- [ ] APOLOGETIC
- [ ] BAD BREATH
- [ ] BODY ODOR / UNUSUAL ODOR
- [ ] GANG - RELATED
- [ ] HOMELESS
- [ ] INTIMIDATED / COERCED
- [ ] NEVER SPOKE / QUIET
- [ ] POLITE / KIND
- [ ] PROFANITY
- [ ] QUOTES, UNUSUAL
- [ ] RAGE
- [ ] TRUST VIOLATION
- [ ] UNDER INFLUENCE
- [ ] ______

SUSPECT PRETENDED TO BE:
- [ ] BUSINESS PERSON
- [ ] CONVERSATION / BEFRIENDED
- [ ] CUSTOMER
- [ ] DELIVERY PERSON
- [ ] FAMILY MEMBER
- [ ] FIND MONEY
- [ ] HANDICAPPED
- [ ] HOMELESS
- [ ] LEND ASSISTANCE
- [X] NEED ASSISTANCE OR EMERGENCY
- [ ] NEED TOILET / PHONE / WATER
- [ ] OFFERED GOODS / SERVICES
- [ ] POLICE / SECURITY
- [ ] POSITION OF TRUST
- [ ] REPAIR PERSON
- [ ] SALES PERSON
- [ ] SEEK EMPLOYMENT
- [ ] SOLICIT DONATIONS
- [ ] UTILITY EMPLOYEE
- [ ] ______

VICTIM WAS:
- [ ] ASKED TO POSE / MODEL
- [ ] BLINDFOLDED
- [ ] BOUND / GAGGED
- [ ] BURNED
- [ ] CUT / STABBED
- [ ] DISTRACTED
- [ ] DRUGGED / SEDATED
- [ ] EXPLOITED
- [ ] FACE COVERED
- [ ] FOLLOWED
- [ ] FONDLED
- [ ] FORCED TO DISROBE
- [ ] FORCED TO FONDLE SUSPECT
- [ ] FORCED TO LIE ON FLOOR
- [ ] FORCED TO MASTURBATE
- [ ] FORCED TO MOVE
- [ ] FORCED TO ORALLY COPULATE SUSPECT
- [ ] GANG RELATED
- [ ] HANDCUFFED
- [ ] HOMELESS
- [ ] INJURED / HIT
- [ ] LOCKED IN
- [ ] MADE TO COUNT
- [ ] PINCHED
- [ ] PISTOL WHIPPED
- [ ] SHOT
- [ ] SLAPPED
- [ ] THREATENED
- [ ] TORTURED / MUTILATED
- [X] FIRED WEAPON

BIAS - MOTIVATED INCIDENT:

RACIAL
- [ ] ANTI - WHITE
- [ ] ANTI - BLACK
- [ ] ANTI - AMERICAN INDIAN / ALASKAN NATIVE
- [ ] ANTI - ASIAN / PACIFIC ISLANDER
- [ ] ANTI - MULTIRACIAL GROUP

RELIGIOUS
- [ ] ANTI - JEWISH
- [ ] ANTI - CATHOLIC
- [ ] ANTI - PROTESTANT
- [ ] ANTI - ISLAMIC (MUSLIM)
- [ ] ANTI - OTHER RELIGION
- [ ] ANTI - MULTIRELIGIOUS GROUP
- [ ] ANTI - ATHEISM / AGNOSTICISM

ETHNICITY / NATIONAL ORIGIN
- [ ] ANTI - HISPANIC
- [ ] ANTI - OTHER ETHNICITY / NATIONAL ORIGIN

SEXUAL
- [ ] ANTI - MALE HOMOSEXUAL (GAY)
- [ ] ANTI - FEMALE HOMOSEXUAL (LESBIAN)
- [ ] ANTI - HOMOSEXUAL (GAYS & LESBIANS)
- [ ] ANTI - HETEROSEXUAL
- [ ] ANTI - BISEXUAL

GENDER
- [ ] ANTI - MALE
- [ ] ANTI - FEMALE
- [ ] ANTI - TRANSGENDER

DISABILITY
- [ ] ANTI - MENTAL DISABILITY
- [ ] ANTI - PHYSICAL DISABILITY

COUNTY OF LOS ANGELES - SHERIFF'S DEPARTMENT - SUPPLEMENTARY REPORT

DATE: DECEMBER 05, 2020

FILE NO.: 020-11308-0241-055

C: ASSAULT UPON A PEACE OFFICER, (FIREARM) LIKELY TO PRODUCE GREAT BODILY INJURY, 245(D)(1) PC

ACTION: ACTIVE / CRIME SCENE INVESTIGATION / EVIDENCE COLLECTED / WITNESSES INTERVIEWED / SUSPECT ARRESTED AND CASED PRESENTED TO DISTRICT ATTORNEY

V1: DEPUTY DANIEL SALDIVAR, MH/32, LOS ANGELES COUNTY SHERIFF'S DEPARTMENT EMPLOYEE #[redacted] (UNINJURED)

V2: DEPUTY MICHAEL MARTINEZ, MH/27, LOS ANGELES COUNTY SHERIFF'S DEPARTMENT EMPLOYEE #[redacted] (UNINJURED)

D: AUGUST 22, 2020, (SATURDAY), APPROXIMATELY 2152 HOURS

L: [redacted] TRIGGS STREET
COMMERCE, CALIFORNIA, 90040

S: MORENO, RIGOBERTO XAVIER
MH/27, DOB: 09-24-29
BKG 5997527
CII [redacted]
FBI
MAI
CDL

****

WITNESSES:

W: [redacted] MH32
(INJURED)

W: [redacted] FH/30

W: [redacted] FH/29



W: [redacted] FH/15

W: [redacted] MH/48

W: [redacted] FH/47

W: [redacted] FH/13

W: [redacted] FH/10

W: [redacted] FH/29

W: [redacted] MH/23

W: [redacted] FH/52

****

EVIDENCE HELD:

Item #JL-1: Firearm, Smith and Wesson M&P 9mm, semi-automatic handgun, serial #NEK[redacted] with attached "Surefire X300 Ultra" light, and (1) live 9mm round in the chamber, and (1) magazine with 16 live rounds of 9mm ammunition.
(Item booked at Sheriff's Crime Lab)

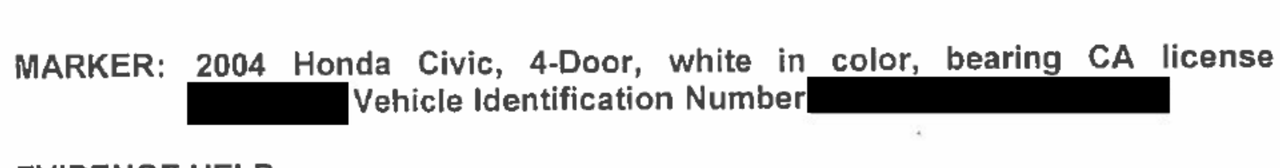
Item #SL-1: Cellphone, LG brand, model #[redacted], IMEI #[redacted] belonging to [redacted]
(Item booked at Homicide Bureau)

Item #SL-2: Cellphone, Apple iPhone, model #[redacted], IMEI #[redacted] Recovered from the front dash of a 2014 Honda Accord, blue in color, bearing California license [redacted]
(Item booked at Homicide Bureau)

Item #EH-1: Envelope containing DNA reference sample collected from suspect Rigoberto Moreno.
(Item booked at Sheriff's Crime Lab)

The below listed evidence was photographed and documented by Forensic Identification Specialist Angelina Lopez #[redacted] of the Latent Prints Section of the Los Angeles County Sheriff's Department Crime Lab.





MARKER: 2004 Honda Civic, 4-Door, white in color, bearing CA license [redacted] Vehicle Identification Number [redacted]

<u>EVIDENCE HELD</u>:

Item #AL1: Envelope containing four individual envelopes containing sample swabs taken from interior of a 2004 Honda Civic, 4-Door, white in color, bearing California license [redacted] which included samples from the front passenger seat front passenger headrest and interior door pull, the front headrest, and the front driver interior door handle and door pull, and the steering wheel and gear shift.
(Item booked at Sheriff's Crime Lab)

Item #AL2: Envelope containing eight latent lift print cards taken from the interior and exterior of a 2004 Honda Civic, 4-Door, White in color, bearing California [redacted]
(Item booked at Sheriff's Crime Lab)

MARKER: 2014 Honda Accord, 4-Door, blue in color, bearing CA license [redacted] Vehicle Identification Number [redacted]

Item #AL3: Envelope containing five individual envelopes containing sample swabs taken from interior of a 2014 Honda Accord, 4-Door, blue in color, bearing California license [redacted] which included samples from the front passenger headrest door handle and interior door pull, front driver seat and headrest, the steering wheel and gear shift, the front driver interior door handle and door pull, and the handle of floor jack located in trunk.
(Item booked at Sheriff's Crime Lab)

Item #AL4: Envelope containing five latent lift print cards taken from the interior and exterior of a 2014 Honda Accord, 4-Door, blue in color, bearing California [redacted] Sample swab taken of center console gear shift, and driver steering wheel of a 2004 Honda Civic, 4-Door, White in color, bearing California [redacted]
(Item booked at Sheriff's Crime Lab)

MARKER: 2015 Kia Optima, 4-Door, charcoal gray in color, bearing CA license [redacted] Vehicle Identification Number [redacted]

Item #AL5: Envelope containing four individual envelopes containing sample swabs taken from interior of a 2015 Kia Optima, 4-Door, charcoal gray in color, bearing California license [redacted] which included samples from the front passenger seat headrest and interior door handle and door pull, the front driver headrest and seat, the steering wheel and gear shift, and the front driver interior door handle and door pull.
(Item booked at Sheriff's Crime Lab)

Item #AL6: Envelope containing four latent lift print cards taken from the exterior of a 2015 Kia Optima, 4-Door, charcoal gray in color, bearing California license [redacted]
(Item booked at Sheriff's Crime Lab)

PHOTOGRAPHIC EVIDENCE:

ITEM #A: Apparent bullet strike to the front driver door window frame of a 2004 Honda Civic, 4-Door, White in color, bearing California [redacted]

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PRELIMINARY INFORMATION:

On Saturday August 22, 2020, at approximately 2230 hours, Investigators Eugene Hatch, and Scott Lawler were detailed to respond to the command post located at [redacted] Triggs Street, Commerce, to investigate the circumstances surrounding an assault upon a Los Angeles County Sheriff Deputy which resulted in a Deputy-Involved-Shooting, and injury to Witness [redacted] The shooting occurred at [redacted] Triggs Street, in the city of Commerce. Detectives Steve Blagg #[redacted] and Vincent Choi #[redacted] responded to the location, and were tasked with documenting the crime scene and collecting evidence.

For further regarding the actions and observations of Investigators Blagg and Choi refer to their supplemental report prepared under the same file number which will be made a permanent part of this investigative file.

Upon arriving at the scene, Investigators were briefed by East Los Angeles Station Deputy Mario Salomon #[redacted] and Deputy Ricardo Hernandez #[redacted] Unit 21A, PM shift. Investigators learned at approximately 2147 hours, deputies responded to [redacted] South McDonnell Street regarding a call for service of a hit and run just occurred call, Tag #[redacted] The call for service was updated, via Sheriff's radio, stating the disturbing party had returned to Triggs Street, and was attempting to fix his disabled compact vehicle. Assisting units were detailed to Triggs Street to check the area for the disturbing party and/or the white colored compact vehicle.

Deputy Daniel Saldivar #[redacted] unit 27A, PM shift, and Deputy Michael Martinez #[redacted] unit 27T, PM shift, responded to Triggs Street to search the area for the disturbing party. The units saw a disabled, white colored vehicle facing westbound Triggs Street in the lane of travel. Deputies stopped their patrol vehicles to investigate. Deputy Saldivar exited his patrol vehicle and saw the suspect retrieve a black semiautomatic handgun from his waistband. Fearing for his safety, Deputy Saldivar fired one round from his firearm toward the suspect. The suspect then ran southwest

across Triggs Street, into "Bristow Park," and out of view, with the black semiautomatic handgun in his possession.

Los Angeles County Fire #3, under the direction of Captain Bolwine responded to the location and treated Witness [redacted] for his injury. Witness [redacted] was ultimately transported to Los Angeles County-USC Medical Center.

Deputy Salomon advised investigators that several witnesses were transported to the East Los Angeles Sheriff's Station. Deputy Salomon provided names of the witnesses to the investigators. Deputy Saldivar, and Deputy Martinez were also transported to East Los Angeles Sheriff's Station.

The investigators went to East Los Angeles Sheriff's Station to conduct interviews.

FIELD IDENTIFICATION SHOW-UP:

On August 23, 2020, at approximately 0200 hours, investigators learned that Suspect Rigoberto Moreno had been located hiding inside a parked vehicle within the containment area. Investigators arranged for Deputy Daniel Saldivar, Deputy Michael Martinez, and [redacted] to be transported separately to [redacted] for a field identification show up.

Deputy Saldivar was transported to [redacted] by Deputy Jonathan Rojas #[redacted] to conduct a field show-up. Deputy Saldivar positively identified Suspect Rigoberto Moreno, as the same person he saw standing on Triggs Avenue, in front of the disabled Honda Civic, retrieve a black semiautomatic handgun from his waistband, and run away north bound across Triggs Avenue, into "Bristow Park" and out of view.

Deputy Martinez was transported to [redacted], by Deputy Jonathan Rojas #[redacted] to conduct a field show-up. Deputy Martinez positively identified Suspect Rigoberto Moreno, as the same person he saw standing on Triggs Avenue, in front of the disabled Honda Civic, reach toward his waistband, blade his torso form view, and run away north bound across Triggs Avenue, into "Bristow Park" out of view.

For further regarding the field show up with Deputy Saldivar and Deputy Martinez, refer to supplemental report written by Deputy Rojas which will be made a permanent part of this investigative file.

[redacted] was transported to [redacted], by East Los Angeles Deputy W Kim #[redacted] and Deputy S Perez #[redacted] to conduct a field show-up. [redacted] was not able to make a positive identification of Suspect Rigoberto Moreno as the person she saw run past her inside "Bristow Park."

For further regarding the field show up with [redacted] refer to supplemental report written by Deputy Perez which will be made a permanent part of this investigative file.

SEARCH WARRANT-[redacted]

On August 22, 2020, East Los Angeles OSS Detective, Ronald Slagle #[redacted] authored a search warrant requesting permission to search [redacted] The location where Suspect Rigoberto Moreno was located. The scope of the search warrant was to search for any evidence related to the Assault with a Deadly Weapon Upon a Peace Officer which resulted in a deputy involved shooting. The search warrant was authorized by the Honorable Judge Rubiya Nur of the Pomona Superior Court, East Judicial District.

For further regarding the search of the location, refer to Detective Slagle's supplemental report which will be made a permanent part of this investigative file.

INTERVIEW WITH [redacted]

On August 23, 2020 at approximately 0244 hours, Investigators Hatch and Lawler interviewed [redacted] inside the East Los Angeles Sheriff's Detective Bureau office. Also present during the interview were Internal Affairs Lieutenant Thomas Arellano #[redacted] Internal Affairs Sergeant Joe Morales #[redacted] Justice System Integrity Division Deputy District Attorney Will Chung, Internal Affairs Sergeant Blanca Creta #[redacted] and District Attorney Investigators [redacted] and [redacted] The interview was digitally recorded and the following is a summary of the interview.

[redacted] told investigators on August 22, 2020, she was at "Bristow Park" relaxing alone at the tables on the north end of the park, near Triggs Street. She was listening to music from her cellphone. At approximately 2100 hours, she heard a loud "crash" sound come from the area of Triggs Street where she had parked her white Toyota Corolla. She told investigators she had parked along the north curb line of Triggs Street, facing west. [redacted] looked up, toward her parked car, and saw that her car had been struck by a white compact car (Honda Civic). The Honda Civic that struck her car was stopped in the west bound lane of Triggs Street, a few feet west of her car. [redacted] saw two "gang type" male Hispanics exit the Honda Civic.

[redacted] described one of the male Hispanics as having a tattoo on his face, wearing a white colored short sleeve shirt, dark colored jeans, in his 20's, approx. 6' in height, and slim build. She said a gray colored Honda sedan arrived at the accident scene. The two male Hispanics got into the gray colored Honda, and fled west bound Triggs Street out of view.

[redacted] walked to her parked car to assess the damage, and noticed damage to the driver side rear panel. She saw the Honda Civic that hit her car had damage to the front passenger side. [redacted] drove her car west bound Triggs Street a few hundred feet, and parked along the north curb line. She then called 9-1-1 to report the hit and run.

She saw the two male Hispanics returned to the disabled Honda Civic, in the gray colored Honda sedan. Since the gray Honda sedan drove eastbound Triggs Street, directly past [redacted] she saw the driver, and described him as a male Hispanic, 25 years of age, with a beard, and black hair. [redacted] advised the 9-1-1 operator that the males had returned to their disabled car. [redacted] believed the two males were going to repair their disabled car, and flee without exchanging information.

[redacted] told investigators she was on the phone with the 9-1-1 operator when she saw two police vehicles, with their overhead emergency lights flashing, travel west bound on Triggs Street, and stop near the disabled Honda Civic. Seconds later, she heard the sound of one gunshot. [redacted] estimated to be approximately 20 yards away from the disabled Honda Civic at the time she heard one gunshot.

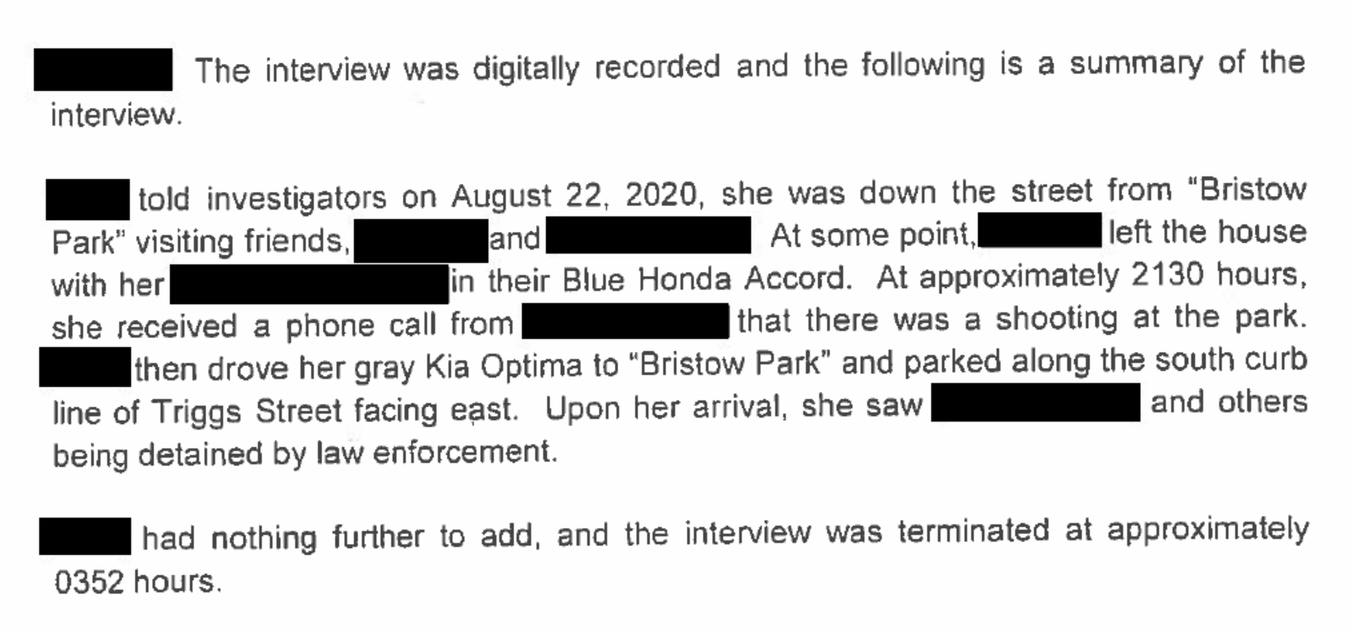
[redacted] said immediately after she heard the sound of a gunshot, she saw the male Hispanic, whom she earlier described with the white short sleeve shirt, run north across Triggs Street, into "Bristow Park," and out of view. Fearing for her safety, [redacted] drove home. At some point, Sheriff Personnel requested [redacted] return to Triggs Street, and speak to deputies.

[redacted] had nothing further to add, and the interview was terminated at approximately 0318 hours.

INTERVIEW WITH [redacted]

On August 23, 2020 at approximately 0344 hours, Investigators Hatch and Lawler interviewed [redacted] inside the East Los Angeles Sheriff's Detective Bureau office. Also present during the interview were Internal Affairs Lieutenant Thomas Arellano #[redacted] Internal Affairs Sergeant Joe Morales #[redacted] Justice System Integrity Division Deputy District Attorney Will Chung, Internal Affairs Sergeant Blanca Creta #[redacted] and District Attorney Investigators [redacted] and [redacted]





[redacted] The interview was digitally recorded and the following is a summary of the interview.

[redacted] told investigators on August 22, 2020, she was down the street from "Bristow Park" visiting friends, [redacted] and [redacted] At some point, [redacted] left the house with her [redacted] in their Blue Honda Accord. At approximately 2130 hours, she received a phone call from [redacted] that there was a shooting at the park. [redacted] then drove her gray Kia Optima to "Bristow Park" and parked along the south curb line of Triggs Street facing east. Upon her arrival, she saw [redacted] and others being detained by law enforcement.

[redacted] had nothing further to add, and the interview was terminated at approximately 0352 hours.

DEPUTY SALDIVAR'S WEAPON AND ROUND COUNT:

On August 23, 2020, at approximately 0407 hours, Investigators Hatch and Lawler were present inside the East Los Angeles Sheriff's Station Captain's office for a round count of Deputy Daniel Saldivar's firearm. Also present for the weapon round count were General Counsel for the Los Angeles Sheriff's Professional Association (LASPA) Attorney at Law Adam Marangell, and Luis Flores.

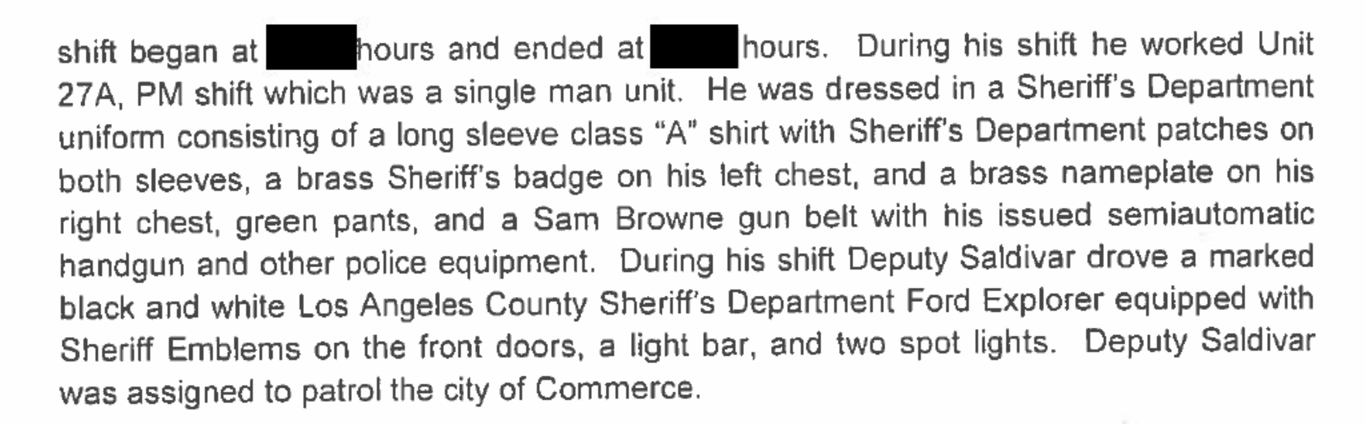
Investigators were assisted by Forensic Identification Specialist Jessica Liang #[redacted] For further regarding her actions and observations, refer to her supplemental report under same file number which will be made a permanent part of this investigative file.

Deputy Daniel Saldivar surrendered his Smith and Wesson MP, 9mm semiautomatic, serial # NEK[redacted] **(Evidence Held item #JL-1)**, with attached surefire light and pressure switch. Investigators noted there was one live round ejected from the chamber and 16 live 9mm rounds of ammunition in the magazine.

INTERVIEW WITH DEPUTY DANIEL SALDIVAR:

On August 23, 2020, at approximately 0416 hours, Investigators Hatch and Lawler interviewed Deputy Daniel Saldivar inside the Captain's office of the East Los Angeles Sheriff's Station. At the request of Deputy Saldivar, LASPA Attorney at Law Adam Marangell, and Luis Flores were present during the interview. The interview was digitally recorded and the following is a summary of the interview.

Deputy Saldivar was a Deputy Sheriff for the Los Angeles County Sheriff's Department, and had been so employed for the past 7 years. On August 22, 2020, Deputy Saldivar's


shift began at [redacted] hours and ended at [redacted] hours. During his shift he worked Unit 27A, PM shift which was a single man unit. He was dressed in a Sheriff's Department uniform consisting of a long sleeve class "A" shirt with Sheriff's Department patches on both sleeves, a brass Sheriff's badge on his left chest, and a brass nameplate on his right chest, green pants, and a Sam Browne gun belt with his issued semiautomatic handgun and other police equipment. During his shift Deputy Saldivar drove a marked black and white Los Angeles County Sheriff's Department Ford Explorer equipped with Sheriff Emblems on the front doors, a light bar, and two spot lights. Deputy Saldivar was assigned to patrol the city of Commerce.

Deputy Saldivar told investigators at approximately 2147 hours he heard a priority call for service, broadcasted via Sheriff's Radio, of a hit and run just occurred at [redacted] Due to the fact, Deputy Saldivar was near the area, he assigned himself to respond to the call. Deputy Saldivar said the call was updated, advising the hit and run vehicle, described as a white Toyota, had left the scene, and the disturbing party was on Triggs Street, attempting to fix the hit and run vehicle. Deputy Saldivar coordinated with the handling unit for himself, and assisting Unit 27T, Deputy Michael Martinez, to respond to Triggs Street, and search for the hit and run vehicle. Deputy Saldivar drove in tandem with Unit 27T. Both units arrived at the hit and run vehicle that was stopped on Triggs Street, approximately one to two minutes later.

Deputy Saldivar told investigators when he drove westbound Triggs Street, he saw a vehicle he believed to be a white Toyota Corolla stopped, facing west on the north side of Triggs Street, with emergency flashers on. As he drove closer to the stopped vehicle, he saw approximately four to five males near the front hood of the disabled vehicle. Deputy Martinez stopped his patrol vehicle behind the disabled vehicle. Deputy Saldivar positioned his patrol vehicle south of Martinez, and parked facing northwest.

Deputy Saldivar described the southernmost person, standing approximately three feet from the front hood of the disabled white vehicle, as a male Hispanic, 25-35 years old, 5'5"- 5'7" in height, tattooed arms, wearing a blue plaid shirt, and blue jean shorts with a black hat, worn backward, and a blue color bandana in his left hand (later identified as Suspect Rigoberto Moreno). Deputy Saldivar described the person standing behind that male as a male Hispanic, 30-36 years old, 5'7"-5'8" in height, wearing a blue plaid shirt, and blue jean shorts, with tattooed arms and legs.

Deputy Saldivar described the third male, standing to the north of the second described male, as a male Hispanic, 25-35 years old, 5'7"-5'8" in height, wearing blue or turquoise colored short sleeve shirt, and short hair. Deputy Saldivar described the next person



standing to the north as a male Hispanic, 25 years of age. He described the four males as standing in a semicircular configuration, north to south.

Deputy Saldivar said he exited the driver door of his vehicle, withdrew his firearm, and immediately ordered the males, three to four times, to "show" their hands. He saw the four had their hands down near their waistbands, out of his view. Saldivar saw Suspect Moreno take a step toward the south, and with the blue bandana wrapped around his left hand, raise his plaid shirt from his waist. Suspect Moreno then used his right hand to withdraw a black semiautomatic handgun from his waistband, exposing the barrel of the weapon.

Deputy Saldivar told investigators at that moment, he feared for his life and his partner's life. Therefore he fired one round from his duty weapon toward the direction of Suspect Moreno who was retrieving the handgun from his waistband. Saldivar saw Suspect Moreno run south west across Triggs Street, and into "Bristow Park" out of view. He saw the other three male Hispanics raise their hands. Saldivar immediately yelled to his partner that he discharged his weapon, and began initiating emergent radio traffic via his portable radio. He also initiated a containment of the immediate area.

When assisting units arrived to Deputy Saldivar's location, Deputy Saldivar saw one of the male Hispanics ([redacted]), who had been standing near Suspect Moreno, had been shot. Deputy Saldivar began rendering first aid to [redacted] who had sustained a gunshot wound to his lower right leg.

Deputy Daniel Saldivar had nothing further to add, and the interview was concluded at 0453 hours.

INTERVIEW WITH DEPUTY MICHAEL MARTINEZ:

On August 23, 2020, at approximately 0500 hours, Investigators Hatch and Lawler interviewed Deputy Michael Martinez inside a conference room of the East Los Angeles Sheriff's Station. At the request of Deputy Martinez, RLS Attorney at Law Jacob A. Kalinski was present during the interview.

Deputy Martinez was a Deputy Sheriff for the Los Angeles County Sheriff's Department, and had been so employed for the past 2 years. On August 22, 2020, Deputy Martinez's shift began at [redacted] hours and ended at [redacted] hours. During his shift he worked Unit 27T, PM shift which was a single man unit. He was dressed in a Sheriff's Department uniform consisting of a long sleeve class "A" shirt with Sheriff's Department patches on both sleeves, a brass Sheriff's badge on his left chest, and a brass nameplate on his right chest, green pants, and a Sam Browne gun belt with his issued

semiautomatic handgun and other police equipment. During his shift Deputy Martinez drove a marked black and white Los Angeles County Sheriff's Department Ford Explorer equipped with Sheriff Emblems on the front doors, a light bar, and two spot lights. Deputy Martinez was assigned to patrol the city of Commerce.

Deputy Martinez told investigators at approximately 2140 hours, he responded to a radio call for service of a hit and run parked car, just occurred. He was directed by the handling Unit, 27H, Deputy Andrew Aselin #[redacted] via Sheriff's radio, to respond with Unit 27A, to Triggs Avenue and check the area for the disturbing party. The disturbing party was described in the call as two male adults parked on Triggs Street, directly across from "Bristow Park" attempting to fix their disabled vehicle. Unit 27A, Deputy Saldivar responded in tandem with Martinez from the area of Telegraph Road and Eastern Avenue.

Deputy Martinez said when they arrived at Triggs Street from Eastern Avenue, he was following Deputy Saldivar. Martinez said as he traveled west bound Triggs Street, he noticed a white Honda Civic north of the west bound lane with its hazard lights flashing. Martinez pulled his patrol vehicle to the rear of the white Honda Civic. Deputy Saldivar positioned his patrol vehicle south of Martinez facing northwest. Martinez saw three male Hispanic adults, and one female Hispanic adult standing in front of the Honda Civic, near the north curb line.

Deputy Martinez described the person he saw standing closest to the white Honda Civic as male Hispanic, 20's years of age, 5'07" in height, thin build, and black hair. The person standing just west of that was described as a female Hispanic, 5'07" in height, mid to late 20's, wearing shorts. Martinez described the person west of the female as a male Hispanic, early 20's years of age, 5'06" in height, thin build, with a white and blue checkered shirt, dark color shorts, with tattoos on his arms and neck. Martinez said the person standing south of the other three was a male Hispanic, mid 20's years of age, 5'06" in height, wearing a blue plaid shirt, dark color jean shorts, and black hair.

Deputy Martinez told investigators as he drove closer to the white Honda Civic with the hazard lights on, and persons standing next to it, he believed it was the same disturbing party vehicle described in the call for service. He also saw what appeared to be traffic collision damage to the Honda Civic. Martinez illuminated his overhead rotating lights with solid red, and he positioned his spotlight toward the interior of the white Honda Civic. Martinez said he knew from personal experience the area he was stopped in was claimed by "Choppers" criminal street gang. As he exited his patrol vehicle, he withdrew his weapon, stood behind his opened driver door, and ordered the four individuals to show their hands. He also heard Deputy Saldivar order the four individuals to show their hands. Three of the individuals complied.

Deputy Martinez told investigators he noticed the male Hispanic that was furthest southwest from his position appeared to disassociate himself from the group of individuals. He took a step away from the group and kept shifting his eye contact from the deputies back to the group. Martinez saw the male Hispanic lift his shirt with one hand, and reach toward his waistband with his right hand, as he simultaneously turned and bladed his body away from Martinez. Deputy Martinez then heard one gunshot, and Deputy Saldivar told Martinez the male had a black gun. Martinez saw the male Hispanic run south across Triggs Street, and into "Bristow Park" out of view. Martinez told investigators he was approximately 10 feet away from the male who reached toward his waistband when the shooting occurred. Martinez did not see the male retrieve a handgun due to the fact the male had turned away from Martinez and he could only see his back at that point.

Deputy Martinez said he saw one of the remaining detained males had been shot in the lower right leg. Martinez rendered the area safe from additional threats, and began performing first aid to the injured male pending the arrival of rescue personnel.

Deputy Martinez saw the female Hispanic had her red colored cellphone in her hand. Martinez believed the female was recording the police contact with her cellphone.

Deputy Michael Martinez had nothing further to add, and the interview was concluded at 0536 hours.

INTERVIEW WITH [redacted]

On August 23, 2020, at approximately 0554 hours, Investigators Hatch and Lawler interviewed [redacted] inside the East Los Angeles Sheriff's Detective Bureau office. Also present during the interview were Internal Affairs Lieutenant Thomas Arellano #[redacted] Internal Affairs Sergeant Joe Morales #[redacted], Justice System Integrity Division Deputy District Attorney Will Chung, Internal Affairs Sergeant Blanca Creta #[redacted] and District Attorney Investigators [redacted] and [redacted] The interview was digitally recorded and the following is a summary of the interview.

[redacted] said she was at "Bristow Park" spending the evening with her [redacted] and [redacted] She was sitting at the benches near the playground with her [redacted] which is located in the south west portion of the park, when she saw the rotating overhead lights of two police vehicles illuminated on Trigg's Street. [redacted] said she saw the police vehicles stop, and almost immediately she heard the sound of one gunshot from the area of the police vehicles.



[redacted] told investigators after hearing the gunshot, she saw a mall Hispanic running from the area of the police cars on Triggs Street, toward her direction in the park. The male Hispanic ran south west past [redacted] and continued running out of view. She said the male Hispanic was approximately three feet from her as he ran past. [redacted] described the male Hispanic as early 20's, skinny build, tan skin tone, wearing baggy jeans, dirty white T-shirt, goat-tee beard, and black hair. [redacted] said the male appeared to be holding an object under his T-shirt with his right hand, near his waistband. [redacted] simulated holding an object in her right hand near her waistband.

[redacted] had nothing further to add and the interview was concluded at 0613 hours.

INTERVIEW WITH [redacted]

On August 23, 2020, at approximately 0630 hours, Investigators Hatch and Lawler interviewed [redacted] inside the East Los Angeles Sheriff's Detective Bureau office. Also present during the interview were Internal Affairs Lieutenant Thomas Arellano #[redacted] Internal Affairs Sergeant Joe Morales #[redacted] Justice System Integrity Division Deputy District Attorney Will Chung, Internal Affairs Sergeant Blanca Creta #[redacted] and District Attorney Investigators [redacted] and [redacted] Deputy Omar Escobar #[redacted] was also present during the interview as Spanish translator. The interview was digitally recorded and the following is a summary of the interview.

[redacted] told investigators he drove to "Bristow Park" with his [redacted] for an evening in the park. He was sitting at the park benches, located approximately 50 yards south of Triggs Street, with his [redacted] when he heard the sound of a car accident. [redacted] continued his activities with his [redacted]

A short time later, [redacted] looked in the direction of the traffic accident, and saw two police vehicles. [redacted] told investigators once the police vehicles arrived, he heard the sound of one gunshot coming from the area of the traffic accident. Seconds later, he saw a male Hispanic running from the area of the police vehicles through the park. He described the male Hispanic as medium complexion, short hair, wearing a baggy white shirt, baggy jeans, holding an object near his waistband. [redacted] simulated the male Hispanic by clenching his own pants at the waistband with his left hand. [redacted] said the male Hispanic was approximately 20 feet away as he ran past him through the park in a south west direction, and out of view.

[redacted] had nothing further to add, and the interview was concluded at 0658 hours.





INTERVIEW WITH [redacted]

On August 23, 2020, at approximately 0705 hours, Investigators Hatch and Lawler interviewed [redacted] inside the East Los Angeles Sheriff's Detective Bureau office. Also present during the interview were Internal Affairs Sergeant Joe Morales #[redacted] Justice System Integrity Division Deputy District Attorney Will Chung, Internal Affairs Sergeant Blanca Creta #[redacted] and District Attorney Investigators [redacted] and [redacted] Deputy Omar Escobar #[redacted] was also present as Spanish translator. The interview was digitally recorded and the following is a summary of the interview.

[redacted] told investigators on the evening of August 22, 2020, she went to the park on Triggs Street with her [redacted] Luz and her [redacted] arrived at the park at approximately 2000 hours, and they congregated at the tables in the middle of the park near the children's playground. [redacted] spent much of her time watching cars pass by on the 5 FWY. Approximately one hour had passed when she heard, and saw a car accident on Triggs Street. She said she saw a compact white color vehicle had struck a parked, white color compact vehicle.

[redacted] said she saw a tall, thin, male Hispanic wearing a white shirt get out of the vehicle that had crashed into the parked vehicle. She also described a female wearing a black dress standing next to the male Hispanic. Next, she saw people talking near the crashed vehicles, and one of the vehicles drove away.

Initially, [redacted] told investigators a few minutes passed before she saw two police vehicles arrive. Later during the interview, [redacted] described approximately 40 minutes had passed before she saw two police vehicles arrive to the accident scene from the east. [redacted] said when the deputies arrived, one police vehicle parked behind the crashed vehicle, and the other police vehicle parked next to the crashed vehicle. She saw the deputies exit their police vehicles, point their handguns in the direction of the crashed vehicle, and began yelling orders. Approximately one to two minutes later, [redacted] heard the sound of one gunshot. [redacted] immediately began to gather her minor [redacted] for safety reasons.

[redacted] told the investigators after the sound of the gunshot, she saw a male Hispanic, described as medium height, thin build, dark skin, short hair, a mustache, wearing a white shirt and baggy blue jeans run south through the park past her. The male Hispanic was holding his waistband as he ran past her. She said the male Hispanic that ran was not the same person she saw get out of the vehicle that crashed into the parked vehicle.

[redacted] said she did not see who had shot or where the gunshot came from. She said she was approximately 75 feet away from the stopped police vehicles when the gunshot rang out.

[redacted] had nothing further to add, and the interview was concluded at 0746 hours.

INTERVIEW WITH [redacted]

On August 23, 2020, at approximately 0755 hours, Investigator Hatch interviewed [redacted] inside the East Los Angeles Sheriff's Detective Bureau office. Also present during the interview were Internal Affairs Sergeant Joe Morales #[redacted] Justice System Integrity Division Deputy District Attorney Will Chung, Internal Affairs Sergeant Blanca Creta #[redacted] and District Attorney Investigators [redacted] and [redacted] The interview was digitally recorded and the following is a summary of the interview.

[redacted] told investigators she went to the park with her [redacted] and [redacted] They arrived sometime near dusk. She was playing with her [redacted] close by her [redacted] who were seated at the tables. [redacted] said she heard the sound of a car crash on Triggs Street. She saw a compact car had crashed. She saw two or three people get out of the white vehicle that had crashed.

[redacted] said she continued playing with her [redacted] further south into the park. Next she said she heard the sound of police sirens, and saw one or two police vehicles stopped on Triggs Street near her parents' parked vehicle. A few seconds later, [redacted] heard the sound of one gunshot. After hearing the gunshot, [redacted] looked in the direction of the police activity on Triggs Street.

[redacted] saw a male Hispanic with facial hair, skinny build, wearing a white shirt and baggy pants run into the park, past her, toward the south west portion of the park. [redacted] said the male appeared to be holding an object inside his waistband, and demonstrated for the investigators by holding her own waistband with her right hand.

[redacted] had nothing further to add, and the interview was concluded at 0814 hours.

INTERVIEW WITH [redacted]

On August 23, 2020, at approximately 0820 hours, Investigators Hatch and Lawler interviewed [redacted] inside the East Los Angeles Sheriff's Detective Bureau office. Also present during the interview were Internal Affairs Sergeant Joe Morales #[redacted] Justice System Integrity Division Deputy District Attorney Will Chung,



Internal Affairs Sergeant Blanca Creta #[redacted] and District Attorney Investigators [redacted] and [redacted] The interview was digitally recorded and the following is a summary of the interview.

[redacted] told investigators on August 22, 2020, she was visiting a park with her [redacted] They arrived at the park at approximately 2100 hours. [redacted] took her dog for a walk near the southern portion of the park. She heard the sound of police sirens, and saw a three police vehicles stopped on Triggs Street. Seconds after she saw the police vehicles, [redacted] said she saw a male wearing dark colored baggy pants, who appeared to be holding an object underneath his light colored shirt run south through the park past her. She was approximately 3 feet away from the male as he ran by her.

[redacted] had nothing further to add, and the interview was concluded at 0831 hours.

INTERVIEW WITH [redacted]

On August 23, 2020, at approximately 0907 hours, Investigators Hatch and Lawler interviewed [redacted] inside the East Los Angeles Sheriff's Detective Bureau office. Also present during the interview were Internal Affairs Lieutenant Thomas Arellano #[redacted] Internal Affairs Sergeant Joe Morales #[redacted] Justice System Integrity Division Deputy District Attorneys Will Chung and Brandon Lenhart, Internal Affairs Sergeant Blanca Creta #[redacted] and District Attorney Investigator [redacted] The interview was digitally recorded and the following is a summary of the interview.

[redacted] told investigators on August 22, 2020, at approximately 2200, hours she was driving her blue color Honda Accord east bound Triggs Street, near "Bristow Park." Her [redacted] was with her sitting in the front passenger seat. They drove near an unknown male Hispanic attempting to push his older white color car out of traffic. [redacted] and [redacted] stopped to assist the motorist. She told investigators she and [redacted] did not know the male Hispanic, and had never seen him before. [redacted] said she and [redacted] attempted to push the disabled vehicle out of the traffic lane. At one point, [redacted] took a mechanic's jack out of her Honda to "jack the car up" and push the vehicle forward (west). [redacted] said she saw the front passenger tire of the disabled vehicle was "messed up."

[redacted] told investigators she was standing in the street in front of the disabled white car, and [redacted] was standing next to her, on her right side. The unknown male Hispanic was standing next to her, on her left side. She said approximately 20 minutes later, two deputies arrived in one police vehicle. The deputies pointed their lights at [redacted] and the male Hispanic. [redacted] saw a deputy exit the driver door of the police vehicle, point his handgun in her direction, and began yelling, "Put your hands



up." [redacted] said she, [redacted] and the unknown male complied with the orders. [redacted] estimated the distance between her and the police vehicle to be approximately 10 feet.

[redacted] told investigators the deputy on the driver side of the police vehicle shot his handgun one time in her direction. [redacted] yelled that he was shot, and fell to the ground. [redacted] heard one of the deputies yell out about having a gun. [redacted] and the male Hispanic were ordered to lay on the ground, and they both complied. She said at one point, one of the deputy's began rendering aid to [redacted]

[redacted] said she had her cellphone in her hand, and began to videotape the encounter with her cellphone. She said she began recording once the deputies arrived, and stopped recording after she heard the gunshot. She saw [redacted] was holding his cellphone in his hand. [redacted] left her cellphone on the street where [redacted] was shot, and believed [redacted] had also left his phone in the street. [redacted] said she did not feel comfortable sharing any video of the encounter with the investigators, and would not provide investigators with the passcode to her phone.

[redacted] denied ever seeing a fourth male Hispanic help with the disabled vehicle, stand on the south side of [redacted] and run away from the deputies southbound through "Bristow Park."

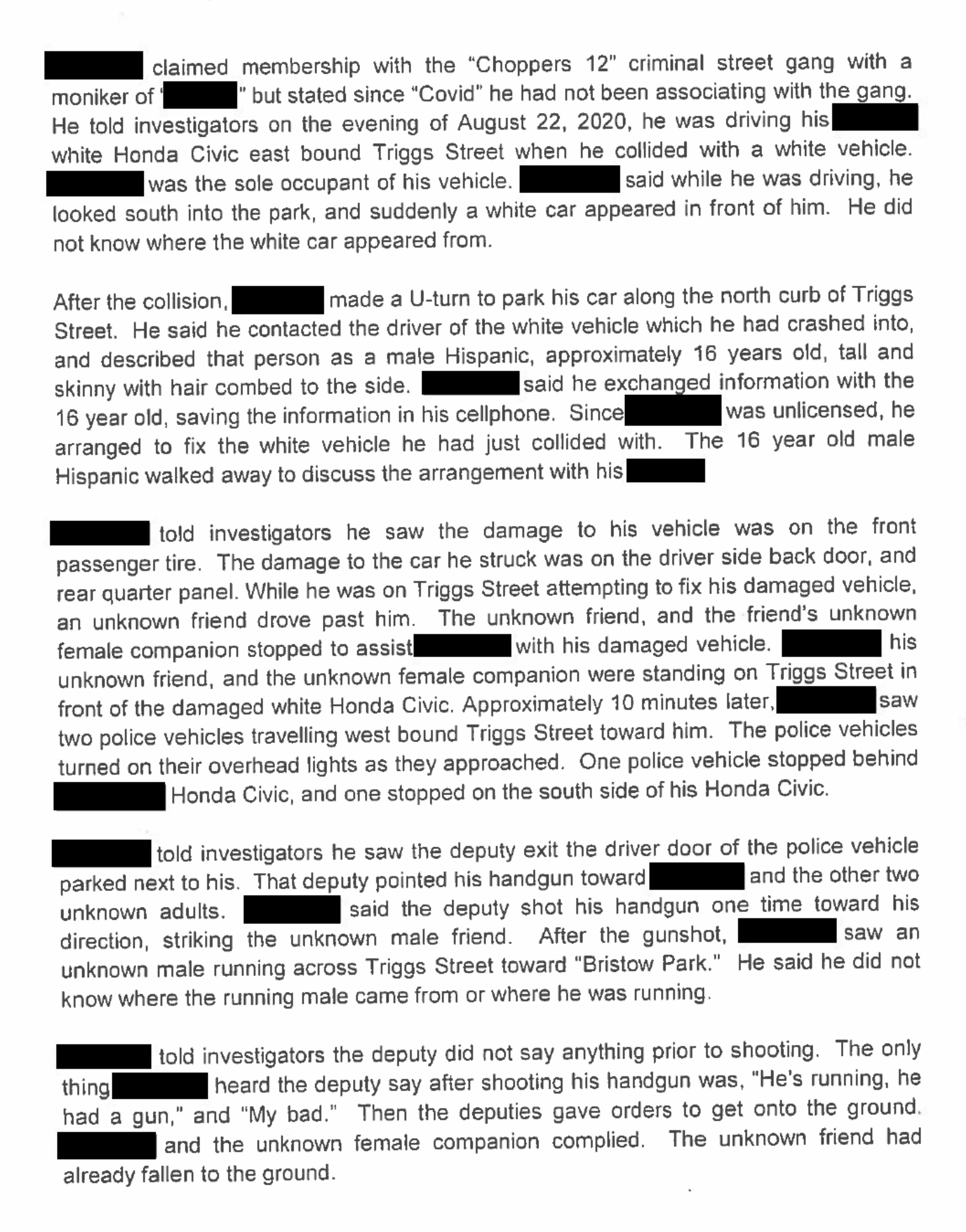
Investigators presented [redacted] with a 6-pack photo array of Suspect Rigoberto Moreno and five similar looking individuals, which were previously arranged in a sealed envelope by East Los Angeles Sheriff's OSS Detective Ron Slagle #[redacted] Prior to viewing any of the photographs, Investigator Lawler advised [redacted] of the photo array admonition, per SH-R-628. [redacted] opened the envelope, and looked over the six photographs. [redacted] did not make any identification from the 6-pack photo array of any person(s) she saw on the night of August 22, 2020.

[redacted] had nothing further to add, and the interview was concluded at 0946 hours.

INTERVIEW WITH [redacted]

On August 23, 2020, at approximately 0955 hours, Investigators Hatch and Lawler interviewed [redacted] inside the East Los Angeles Sheriff's Detective Bureau office. Also present during the interview were Internal Affairs Sergeant Joe Morales #[redacted], Justice System Integrity Division Deputy District Attorney Will Chung, Internal Affairs Sergeant Blanca Creta #[redacted] and District Attorney Investigators [redacted] and [redacted] The interview was digitally recorded and the following is a summary of the interview.





[redacted] claimed membership with the "Choppers 12" criminal street gang with a moniker of "[redacted]" but stated since "Covid" he had not been associating with the gang. He told investigators on the evening of August 22, 2020, he was driving his [redacted] white Honda Civic east bound Triggs Street when he collided with a white vehicle. [redacted] was the sole occupant of his vehicle. [redacted] said while he was driving, he looked south into the park, and suddenly a white car appeared in front of him. He did not know where the white car appeared from.

After the collision, [redacted] made a U-turn to park his car along the north curb of Triggs Street. He said he contacted the driver of the white vehicle which he had crashed into, and described that person as a male Hispanic, approximately 16 years old, tall and skinny with hair combed to the side. [redacted] said he exchanged information with the 16 year old, saving the information in his cellphone. Since [redacted] was unlicensed, he arranged to fix the white vehicle he had just collided with. The 16 year old male Hispanic walked away to discuss the arrangement with his [redacted]

[redacted] told investigators he saw the damage to his vehicle was on the front passenger tire. The damage to the car he struck was on the driver side back door, and rear quarter panel. While he was on Triggs Street attempting to fix his damaged vehicle, an unknown friend drove past him. The unknown friend, and the friend's unknown female companion stopped to assist [redacted] with his damaged vehicle. [redacted] his unknown friend, and the unknown female companion were standing on Triggs Street in front of the damaged white Honda Civic. Approximately 10 minutes later, [redacted] saw two police vehicles travelling west bound Triggs Street toward him. The police vehicles turned on their overhead lights as they approached. One police vehicle stopped behind [redacted] Honda Civic, and one stopped on the south side of his Honda Civic.

[redacted] told investigators he saw the deputy exit the driver door of the police vehicle parked next to his. That deputy pointed his handgun toward [redacted] and the other two unknown adults. [redacted] said the deputy shot his handgun one time toward his direction, striking the unknown male friend. After the gunshot, [redacted] saw an unknown male running across Triggs Street toward "Bristow Park." He said he did not know where the running male came from or where he was running.

[redacted] told investigators the deputy did not say anything prior to shooting. The only thing [redacted] heard the deputy say after shooting his handgun was, "He's running, he had a gun," and "My bad." Then the deputies gave orders to get onto the ground. [redacted] and the unknown female companion complied. The unknown friend had already fallen to the ground.

Investigators presented [redacted] with a 6-pack photo array of Suspect Rigoberto Moreno and five similar looking individuals, which were previously arranged in a sealed envelope by East Los Angeles OSS Detective Ron Slagle #[redacted] Prior to viewing any of the photographs, Investigator Hatch advised [redacted] of the photo array admonition, per SH-R-628. [redacted] opened the envelope, and looked over the six photographs. [redacted] did not make any identification from the 6-pack photo array of any person(s) he saw on the night of August 22, 2020, running away from the incident.

Investigators recovered a cellphone **(Evidence Held Item #SL-1)**, from the table top inside the station report writing room, next to where [redacted] had been sitting. Investigators determined the cellphone belonged to [redacted]

[redacted] had nothing further to add, and the interview was concluded at 1044 hours.

<u>INTERVIEW WITH [redacted]</u>

On August 23, 2020, at approximately 1220 hours, Investigators Hatch and Lawler interviewed [redacted] inside his hospital room, SOU Bed #10, at Los Angeles County-USC Medical Center. The interview was digitally recorded and the following is a summary of the interview.

[redacted] told investigators on August 22, 2020, at approximately 2130 hours, he received a telephone call from his friend, "[redacted]" stating he was just involved in a car accident on Triggs Street in front of "Bristow Park." [redacted] said "[redacted]" told him another car had crashed into him, and he needed [redacted] to bring a car jack to help fix the car. [redacted] knew "[redacted]" white Honda Civic belonged to [redacted]

[redacted] said he drove his blue Honda Accord to his house and picked up his [redacted] The two drove to "[redacted]" who was standing on Triggs Street with his damaged white Honda Civic. [redacted] and [redacted] exited their car, removed a tire jack and spare tire from his trunk, and proceeded to help "[redacted]" repair the front passenger tire of the damaged Honda Civic.

[redacted] told investigators approximately three minutes after he arrived to assist "[redacted]" an unknown male Hispanic arrived in a silver colored car with a female driver. The male exited the passenger door, and the female continued west bound Triggs Street. [redacted] described the unknown male as a male Hispanic, 25-30 years, 5'07"-5'08", wearing a black and white stripe shirt and black jeans with a black hat. He said it appeared the male Hispanic was known to "[redacted]" by the way the two conversed. [redacted] and "[redacted]" were standing at the front of the Honda Civic, and the unknown male was standing at the trunk of the white Honda trying to push it.





[redacted] told investigators they were not able to repair the Honda Civic and decided to call for a tow. [redacted] began returning tools to his blue Honda Accord. [redacted] and [redacted] were standing near the front of the damaged Honda Civic. [redacted] saw two police vehicles with their overhead lights illuminated accelerating west bound Triggs Street toward him. [redacted] walked back toward the front of the damaged Honda Civic and stood with [redacted] and '[redacted]" The unknown male began walking from the rear of the Honda Civic toward the front of the Honda Civic.

[redacted] told investigators as the police were travelling toward him, he saw the unknown male walk in front of the Honda Civic past [redacted] approximately 10 feet away toward "Bristow Park." [redacted] said he noticed as the unknown male walked away, he appeared to be distancing himself from them. [redacted] saw the male kept looking at the three, and look away. He said he had a feeling the unknown male was going to run away. When the police vehicles stopped next to the Honda Civic, the driver exited the police vehicle stopped closest to Anthony. The unknown male ran south across Triggs Street. [redacted] said at that moment, the deputy fired his handgun one time striking [redacted] in the right leg. [redacted] then fell to the ground.

[redacted] said he did not hear any commands from the deputies prior to the gunshot. He said after he was shot, he heard a deputy say there was a gun. [redacted] saw the unknown male take off running south across Triggs Street, and into "Bristow Park," then he heard and felt one gunshot. [redacted] was approximately 15-20 feet away from the deputy when he was shot. [redacted] fell to the ground. [redacted] went to the ground to aid [redacted] He sad '[redacted]' also fell to the ground. At some point, Deputy Saldivar applied a Tourniquet to [redacted] leg pending the arrival of Fire Personnel.

[redacted] denied being a member, or any type of associate of the "Choppers" criminal street gang. He believed his friend '[redacted]' was a member of the "Choppers" criminal street gang. He said he hoped investigators "caught the mother fucker" because he was the reason [redacted] got shot. [redacted] said after the shooting, [redacted] called for her [redacted] to come to the park, and record the incident. [redacted] saw [redacted] had arrived in a dark gray car.

Investigators presented [redacted] with a 6-pack photo array of Suspect Rigoberto Moreno and five similar looking individuals, which were previously arranged in a sealed envelope by East Los Angeles OSS Detective Ron Slagle #[redacted]. Prior to viewing any of the photographs, Investigator Lawler advised [redacted] of the photo array admonition, per SH-R-628. [redacted] opened the envelope, and looked over the six photographs. [redacted] did not make any identification from the 6-pack photo array of any person(s) he saw on the night of August 22, 2020, running away from the encounter he had with law enforcement.





[redacted] had nothing further to add, and the interview was concluded.

INTERVIEW WITH SUSPECT RIGOBERTO MORENO:

On August 23, 2020, at approximately 1340 hours, Investigators Hatch and Lawler interviewed Suspect Rigoberto Moreno inside an interview room of the East Los Angeles Sheriff's Station Jail. The interview was digitally recorded via audio recorder and the following is a summary of the interview.

Suspect Moreno told the investigators he was on parole/probation as a result from a prior arrest. He said he associated with "Choppers" criminal street gang.
Prior to the interview, Investigator Hatch read Suspect Rigoberto Moreno his Miranda Rights which he said he understood and invoked his right to counsel.

The interview with Suspect Rigoberto Moreno was terminated.

2ND INTERVIEW WITH [redacted]

Investigators listened to the original 9-1-1 call for service placed by [redacted] to the East Los Angeles Sherriff's Station. Investigators noted during the conversation, [redacted] had stated to the operator that she was with her [redacted] at the time. Investigators scheduled a second interview with [redacted] and her [redacted] for clarification.

On August 24, 2020, at approximately 1915 hours, Investigators Hatch and Lawler interviewed [redacted] inside an interview room of the East Los Angeles Sheriff's Station. The interview was digitally recorded via audio recorder and the following is a summary of the interview.

[redacted] told investigators she was alone at "Bristow Park" at the time her parked vehicle was crashed into. She was alone when she drove her vehicle west bound Triggs Street and parked along the north curb line of Triggs Street, underneath an illuminated street light. [redacted] saw the two males who struck her vehicle and fled, returned to their damaged vehicle. She said she was afraid to be alone and called her [redacted] [redacted] walked to [redacted] location. [redacted] next phone call was to 9-1-1.

While [redacted] was on the phone with the 9-1-1 operator, her [redacted] arrived to her location. [redacted] said after she heard the shooting, a deputy asked her to drive herself to the "Denny's" parking lot on Triggs Street. [redacted] made a U-turn to east bound Triggs Street, however, she could not proceed east bound due to yellow crime scene tape across Triggs Street.



[redacted] added she did not initially disclose her [redacted] presence because she did not want her mother involved.

Investigators presented [redacted] with a 6-pack photo array of Suspect Rigoberto Moreno and five similar looking individuals, which were previously arranged in a sealed envelope by Homicide Detective Joe Manfree, #[redacted] Prior to viewing any of the photographs, Investigator Lawler advised [redacted] of the photo array admonition, per SH-R-628. [redacted] opened the envelope, and looked over the six photographs. [redacted] did not make any identification from the 6-pack photo array of any person(s) she saw on the night of August 22, 2020, involved in the collision with her vehicle, or running away from the encounter she observed with law enforcement.

Investigators presented [redacted] with a second 6-pack photo array of [redacted] and five similar looking individuals, which were previously arranged in a sealed envelope by Homicide Detective Joe Manfree, #[redacted] Prior to viewing any of the photographs, Investigator Lawler advised [redacted] of the same photo array admonition, per SH-R-628. [redacted] opened the envelope, and looked over the six photographs. [redacted] did not make any identification from the 6-pack photo array of any person(s) she saw on the night of August 22, 2020, involved in the collision with her vehicle, or running away from the encounter she observed with law enforcement.

Investigators concluded the interview with [redacted]

INTERVIEW WITH [redacted]

On August 24, 2020, at approximately 1935 hours, Investigators Hatch and Lawler interviewed [redacted] inside an interview room of the East Los Angeles Sheriff's Station. Deputy Andrea Villa #[redacted] was present as Spanish translator at the request of [redacted]. The interview was digitally recorded via audio recorder and the following is a summary of the interview.

[redacted] told investigators on the evening of August 22, 2020, she was at her home when she received a phone call from her [redacted] She said [redacted] had told her about her car being involved in an accident. [redacted] requested [redacted] join her at her parked car. [redacted] walked to [redacted] and her parked vehicle on Triggs Street.

[redacted] said when she arrived to [redacted] location, the police vehicles where already stopped on Triggs Street, and the shooting had already occurred. [redacted] said [redacted] ordered her to get into the parked car as [redacted] was instructed to do so by the 9-1-1 operator in order to protect themselves. [redacted] complied. She said she never saw anyone running away from the area of the police vehicles.

[redacted] had nothing further to add, and the interview was concluded.

INCUSTODY CASE PRESENTED TO DEPUTY DISTIRCT ATTORNEY:

On August 25, 2020, at approximately 0900 hours, investigators presented the facts of the case as they were at the time of the arrest of Suspect Rigoberto Moreno for violations 245(D)(1) PC, and 29800(A)(1) PC to Deputy District Attorney Dmitry Brodsky of the Clara Shortridge Foltz Criminal Justice Center. Deputy District Attorney Brodsky rejected the case at this time for further investigation, and assigned this case file with DA Case **#40473664**.

SEARCH WARRANT- (4) CELLPHONES:

On August 25, 2020, Investigator Hatch authored a search warrant requesting permission to search the contents of the two cellphones recovered from the crime scene. A Samsung cellphone (Evidence Held Item #6), and a Samsung cellphone inside a pink plastic case (Evidence Held Item #16). Also, the contents of the cellphone recovered from the East Los Angeles Sheriff's Station report writing room belonging to [redacted] (Evidence Held Item #SL-1), and the contents of the cellphone recovered during the arrest of Suspect Rigoberto Moreno (Evidence Held Item #25).

The request was to search the cellphone contents for any evidence related to the chain of events leading up to the Assault Upon a Peace Officer, and/or any evidence related to the "Choppers" criminal street gang.

The search warrant was authorized by the Honorable Judge Wendy Segall of the East Los Angeles Superior Court, Central Division.

SEARCH WARRANT- (3) VEHICLES FROM CRIME SCENE:

On August 25, 2020, Investigator Lawler authored a search warrant requesting permission to search three vehicles which were stopped in close proximity to each other at the scene, and believed to be involved in the incident leading up to the deputy involved shooting that occurred on Triggs Street. The vehicles were identified as a 2004 Honda Civic bearing California license [redacted] operated by [redacted] A 2015 Honda Accord bearing California license [redacted] operated by [redacted] and [redacted] and a 2015 Kia Optima bearing California license [redacted] operated by [redacted]

The request was to search the three vehicles for any evidence related to the chain of events leading up to the Assault Upon a Peace Officer, and/or any evidence related to the "Choppers" criminal street gang.

The search warrant was authorized by the Honorable Judge Wendy Segall of the East Los Angeles Superior Court, Central Judicial District.

2004 HONDA CIVIC BEARING CALIFORNIA LICENSE [redacted]

On August 28, 2020, Investigators Hatch and Lawler went to "Mr C Tow" located at 6105 Maywood Avenue, in the city of Huntington Park, CA 90255. The 2004 Honda Civic bearing California license [redacted] was stored as evidence inside a structure of the tow yard. Forensic Identification Specialist Angelina Lopez #[redacted] of the Latent Prints Section of the Los Angeles County Sheriff's Department Crime Lab was present at the location and processed the vehicle for potential evidence.

Investigators noted the Honda Civic had traffic collision damage to the front passenger quarter panel, and front passenger tire. The front passenger door mirror was damaged and hanging by wires. There was a possible bullet strike to the driver side passenger door that was covered with a white sticker. Investigators saw the front driver window was partially rolled down. Investigators noted a possible bullet strike **(Photographic Evidence #A)**, to the front driver door window frame. The possible bullet strike prevented the window from rolling up past that point.

At the direction of the investigators, FIS Lopez collected DNA sample swabs **(Evidence Held Item #AL1)**, from various areas within the interior of the Honda Civic. FIS Lopez also collected latent print lift cards **(Evidence Held Item #AL2)**, from the interior, and exterior of the Honda Civic.

2014 HONDA ACCORD BEARING CALIFORNIA LICENSE [redacted]

On August 28, 2020, Investigators Hatch and Lawler were at "Mr C Tow" located at 6105 Maywood Avenue, in the city of Huntington Park, CA 90255. The 2014 Honda Accord bearing California license [redacted] was stored as evidence inside a structure of the tow yard. Forensic Identification Specialist Angelina Lopez #[redacted] of the Latent Prints Section of the Los Angeles County Sheriff's Department Crime Lab was present at the location and processed the vehicle for potential evidence.

At the direction of the investigators, FIS Lopez collected DNA sample swabs **(Evidence Held Item #AL3)**, from various areas within the interior of the Honda Accord including a floor jack handle located inside the trunk. FIS Lopez collected latent print lift cards



(Evidence Held Item #AL4), from the interior, and exterior of the Honda Accord, and a cellphone **(Evidence Held Item #SL-2)**, recovered from the front dash console of the Honda Accord.

<u>**2015 KIA OPTIMA BEARING CALIFORNIA LICENSE [redacted]**</u>

On August 28, 2020, Investigators Hatch and Lawler went to "A Car Auto" located at 15525 Fishburn Avenue, in the city of Los Angeles. The 2015 Kia Optima bearing California license [redacted] was stored as evidence inside a structure of the tow yard. Forensic Identification Specialist Angelina Lopez #[redacted] of the Latent Prints Section of the Los Angeles County Sheriff's Department Crime Lab was present at the location and processed the vehicle for potential evidence.

At the direction of the investigators, FIS Lopez collected DNA sample swabs **(Evidence Held Item #AL5)**, from various areas within the interior of the Kia Optima. FIS Lopez collected latent print lift cards **(Evidence Held Item #AL6)**, from the exterior of the Kia Optima.

For further regarding the actions and observations of FIS Angelina Lopez, refer to her supplemental report which will be made a permanent part of this investigative file.

<u>**SEARCH WARRANT- DNA FROM RIGOBERTO MORENO:**</u>

On October 27, 2020, Investigator Hatch authored a search warrant requesting permission to seize DNA swab evidence from Suspect Rigoberto Moreno. The request was to obtain a DNA reference sample swab from Suspect Rigoberto Moreno. The search warrant was authorized by the Honorable Judge John Torribio of the Norwalk Superior Court.

On November 4, 2020, Investigators Hatch and Lawler went to the Los Angeles County Sheriff's North County Correctional Facility. Investigators contacted Suspect Rigoberto Moreno, who was incarcerated on an unrelated charge. Investigators served the search warrant and seized a DNA reference sample swab **(Evidence Held Item #EH-1)**, from the mouth of Suspect Moreno. Investigators booked the DNA sample swab at the Sheriff's Crime Lab.

<u>**SEARCH WARRANT- CELLPHONE RECOVERED FROM HONDA ACCORD:**</u>

On October 28, 2020, Investigator Lawler authored a search warrant requesting permission to search the Apple iPhone (Evidence held Item #SL-2), recovered from the Honda Accord bearing California license [redacted] pursuant to a search warrant, for



any evidence related to the chain of events leading up to the Assault Upon a Peace Officer, and/or any evidence related to the "Choppers" criminal street gang.

The search warrant was authorized by the Honorable Judge Kerry White of the East Los Angeles Superior Court, Central Division.

<u>REVIEW OF DOWNLOADED CELLPHONES:</u>

Detective [redacted] #[redacted] with the Los Angeles County Sheriff's Fraud and Cyber Crimes Unit completed the download of the recovered cellphones. [redacted] authored a supplemental report which will be made a permanent part of the investigative file.

Investigators Lawler and Hatch viewed the downloads of the cellphones and noted the following: On the cellphone belonging to [redacted] investigators viewed a cellphone video of a male with a semi-automatic handgun on his lap, two photographs of a "Kahr Arms" semi-automatic handgun, and a photograph depicting [redacted] holding a semi-automatic handgun. Investigators also noted that the telephone number associated to the cellphone was [redacted].

On the cellphone belonging to [redacted] investigators noted the following: Several videos of [redacted] holding an assault rifle. The videos were narrated by [redacted] There were missed calls from "[redacted]" at 9:54:09PM and 9:53:28PM on August 22, 2020 and an answered call from "[redacted]" at 9:52:06 on August 22, 2020. The telephone number listed for "[redacted]" was [redacted] which was the same number that [redacted] gave to investigators as her contact number. Investigators also noted several calls from "[redacted]" leading up to the shooting. The number listed for "[redacted]" was [redacted]

On the cellphone belonging to [redacted] investigators viewed a video of four male Hispanics claiming to be from the "Choppers" criminal street gang, showing gang hand signs. There were several videos of unknown males spray painting "Choppers" and in one of the videos an unknown male is heard saying "chop gang all day every day". There was also a video of [redacted] showing gang signs. Investigators also noted there were several videos taken from inside of [redacted] blue Honda.

On August 22, 2020, at 1:02:55AM, telephone number [redacted] texted [redacted] phone "did u go by my pad, my hyna said someone went knocking on my back door." On August 22, 2020, at 1:10:36AM, [redacted] responded "nah, I didn't." On August 22, 2020 at 6:25:24AM, [redacted] texted [redacted] "Im outside faget." Investigators noted that telephone number [redacted] was the same

number [redacted] had saved as "[redacted]" and the number associated with [redacted] cellphone. In total, there were 296 text messages between [redacted] and telephone number [redacted] between March 23, 2020, and August 22, 2020.

Investigators also noted that [redacted] called telephone number [redacted] at 9:27:16PM, 9:26:36PM, 8:18:14PM, 5:51:31PM, 12:05:28PM, 10:02:55AM, 06:25:26AM, 06:24:39AM, and 06:23:56AM on August 22, 2020. Investigators also noted outgoing calls from [redacted] to [redacted] at 7:25:57PM, and 12:24:04PM on August 22, 2020. In total, investigators noted 140 calls between [redacted] and [redacted] between July 21, 2020 and August 22, 2020.

ADDITIONAL ARRESTS OF [redacted] AND RIGOBERTO MORENO:

During the course of their investigation, Investigators Lawler and Hatch were made aware of multiple arrests of [redacted] and Rigoberto Moreno, after the assault with a deadly weapon incident on Deputy Daniel Saldivar.

On August 13, 2020, Rigoberto Moreno was [redacted]. During the incident, Rigoberto Moreno was [redacted]. During the altercation, Rigoberto Moreno [redacted]. The group of males entered a black Toyota Tacoma and fled the area. As they were fleeing, Rigoberto Moreno [redacted]. After the shooting, Rigoberto entered a parked vehicle. Shortly after Rigoberto entered the parked vehicle, an unknown female and male entered the vehicle as well. The vehicle then fled the area on Telegraph Road.

Rigoberto Moreno was [redacted] which was documented under Montebello Police Department Case **#2020-00004881**.

On September 7, 2020, [redacted] was [redacted] by a [redacted], and various other [redacted] by members of the East Los Angeles Sheriff's Station. The [redacted] occurred at the "Destiny Inn", located at 5161 Triggs Street, Commerce, which is in close proximity to where the assault with a deadly weapon incident upon Deputy Daniel Saldivar occurred. The incident was documented under Sheriff's file **#920-12007-0421-151**.

On October 14, 2020, [redacted] was [redacted] by a [redacted], and various other [redacted] by



members of the East Los Angeles Sheriff's Station. The [redacted] occurred during a traffic stop, when deputies observed [redacted] exit the "Destiny Inn" located at 5161 Triggs Street, in Commerce. The incident was documented under Sheriff's file **#920-13809-0241-155**.

On October 15, 2020, [redacted] was [redacted], and [redacted], by members of the East Los Angeles Sheriff's Station. The incident was documented under Sheriff's file **#920-13864-0283-252**.

On November 9, 2020, both [redacted] and Rigoberto Moreno were [redacted] by members of the East Los Angeles Sheriff's Station for [redacted]. During the incident, [redacted], Rigoberto Moreno and two other unknown males fled from a parked vehicle when deputies attempted to contact them. While fleeing the area, Rigoberto Moreno fell to the ground. When he fell, a [redacted]. [redacted] continued running and was later detained inside the containment that had been established. [redacted] was also [redacted]. The incident was documented under Sheriff's file **#920-15035-0283-151**.

The reports for the above incidents will be retained and made a permanent part of the investigative file.

SUBMITTED BY:	**DETECTIVE EUGENE HATCH #**[redacted]
	DETECTIVE SCOTT LAWLER #[redacted]
APPROVED BY:	**LIEUTENANT BRANDON DEAN #**[redacted]
ASSIGNED:	**HOMICIDE BUREAU**